

COMMENT MATRIX
CITATIONS FROM COMMENTS RECEIVED BY THE
DELTA STEWARDSHIP COUNCIL BETWEEN
FEBRUARY 5, 2011 AND MARCH 11, 2011

The following matrices include direct citations from comments received by the Delta Stewardship Council (Council) between February 5, 2011 and March 11, 2011. The citations are directly from letters and emails, and were not corrected for misspellings or grammar. Many comments were excerpted due to the length of the comment. All of the letters and emails are located on the Council website. The comments were placed into eight categories, as summarized below. Several comments occur in several categories. These comments do not include comments submitted to specific work groups.

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Matrix 1 List of Commentors (2/5-3/18/11)

Association	Signatory	Date
Association of California Water Agencies	Quinn	3/2/2011
Coalition of Environmental, Environmental Justice and Fishing Organizations		2/24/2011
Commentor	Morat	2/15/2011
Commentor	Mongan	2/16/2011
Eco-Water-Source.Org	Deslippe	2/16/2011
Endangered Species Coalition	Rockwell	2/15/2011
Northern California Water Association, Regional Water Authority, Glenn-Colusa Irrigation District, and Placer County Water Agency		2/24/2011
Resident of Dixon	Burke	2/24/2011
Resident of Lafayette	Pyke	2/10/2011
Resident of Lafayette	Pyke	2/15/2011
Resident of Lafayette	Pyke	2/21/2011
Resident of Richmond, VA	Ottenbrite	2/17/2011
Restore the Delta	Wagner-Tyack	3/1/2011
Rossmann and Moore	Rossmann	2/28/2011
Sacramento-San Joaquin Delta Conservancy		3/11/2011
San Joaquin County	Baldwin	2/16/2011
San Joaquin County	Baldwin	2/17/2011
San Joaquin River Group Authority and State and Federal Contractors Water Agency		2/14/2011
San Joaquin River Group Authority and State and Federal Contractors Water Agency	Buck	3/3/2011
Solano County	Emlen	3/10/2011
U.S. Department of the Interior, U.S. Geological Survey	Brocher	2/4/2011
URS Corporation	Salah-Mars	2/2/2011

Matrix 2 Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)

Association	Date	Comment	Status of Comment
Association of California Water Agencies	3/2/2011	First Staff Draft Delta Plan: ...the Delta Plan must clearly articulate the Council's authorities and limitations as established by SBX7 1. This is most crucial with regards to defining the scope of the "project", i.e. Delta Plan, especially with regards-to geographic and regulatory limitations. Frankly, we are concerned that the Council may over reach and assume far too much responsibility for itself...The Delta Plan must be absolutely clear about which actions will be taken under the Council's authority and which actions will be taken under the authority of other state and local agencies. The Council should respect the authority of other agencies consistent with the Legislature's intent. ACWA believes that the Plan should also clearly delineate what actions constitute a "covered action," consistent with Water Code Sections 85057.5 and 85225 et seq., so agencies will know in the future when they are expected to comply with the consistency determinations required by the Act.	This comment will be considered for preparation of the Delta Plan
Association of California Water Agencies	3/2/2011	First Staff Draft Delta Plan: We understand that there may be a need analyze areas outside the Delta to evaluate specific recommendations or actions that advance the co-equal goals within the Delta, but the Plan must clearly differentiate between analysis and limits on implementation to ensure any proposed recommendation or action does not exceed the DSC's legal authority. It would be beneficial to specifically recognize actions recommended in the Plan that will defer to other state and/or federal agencies to implement under their statutory authorities. For example, if the Plan recommends actions to mitigate specific contaminants that are affecting the beneficial uses of the waters within the Delta, the Plan should state that the authority to implement those recommendations lies with the state water boards and the U.S. Environmental Protection Agency. Likewise, if the Plan recommends the development of Delta stream flows, it needs to clearly state the authority to address stream flows rests with the State Water Resources Control Board (Water Board).	This comment will be considered for preparation of the Delta Plan
Association of California Water Agencies	3/2/2011	First Staff Draft Delta Plan: The Delta Plan needs to discuss that the goals, objectives and actions set forth in the plan will be achieved over a period of decades, and during that period conditions will change, perhaps dramatically, and information will be more robust thus requiring periodic modifications to the Plan. The Plan should clearly define a process for acquiring and analyzing new information, and for making necessary revisions to the Plan, and the associated EIR, if necessary...it would be extremely beneficial if the Plan could identify immediate or short-term actions that can demonstrate success.	This comment will be considered for preparation of the Delta Plan

Matrix 2 Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)

Association	Date	Comment	Status of Comment
Association of California Water Agencies	3/2/2011	First Staff Draft Delta Plan: The Delta Plan needs to include an assessment of the fiscal costs and economic impacts of the proposed actions...To the extent feasible, the Plan and EI R should also disclose potential impacts (favorable and unfavorable) of each alternative on local, regional and statewide economic stability. The Plan should promote actions that, to the greatest degree feasible, encourage local and regional solutions.	This comment will be considered for preparation of the Delta Plan
Association of California Water Agencies	3/2/2011	First Staff Draft Delta Plan:...critical to the successful long-term implementation of the Delta Plan will be well-designed program to monitor actions as they are being implemented, evaluate their contribution to advancing the co-equal goals, and provide for timely modifications to the Plan, when warranted.	This comment will be considered for preparation of the Delta Plan
Association of California Water Agencies	3/2/2011	First Staff Draft Delta Plan - page 1-2, Lines 20-37: While the language sufficiently defines the "Primary Zone" and the "Secondary Zone", the draft Plan fails to discuss the DSC's authorities, and responsibilities, and limits with regards to each of the two zones. The language in lines 36-37 which states, in part, ... the Delta Plan will address statewide actions, including water management practices as they relate to the Delta" (emphasis added) is extremely vague. Recommendation: We suggest the Plan contain language that clearly defines and distinguishes the role and authority of the DSC with regards to both the Primary Zone and Secondary Zone.	This comment will be considered for preparation of the Delta Plan
Association of California Water Agencies	3/2/2011	First Staff Draft Delta Plan - page 1-5, Lines 41-43: The language " ... will require resolution of conflicts through effective use of California's water rights law, including reasonable use doctrine and public trust principles" implies that current Water Board's procedures and policies are inadequate. Furthermore, it could be misconstrued that the DSC has the authority to define, modify and subsequently enforce such policies. Recommendation: We suggest that the language be rewritten to recognize that existing water rights law, the reasonable use doctrine and the public trust principles are important doctrines to be considered in furthering the co-equal goals, and that the Council recognizes that the State Water Resources Control Board has responsibility, under its existing statutory authorities, to ensure these are properly implemented.	This comment will be considered for preparation of the Delta Plan

Matrix 2 Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)

Association	Date	Comment	Status of Comment
Association of California Water Agencies	3/2/2011	First Staff Draft Delta Plan - page 2-1, Lines 9-11: The language in the draft Plan, "... will require proposed plans, programs and projects that impact the Delta will be carried out, approved or funded by a state or local agency are consistent with the Delta Plan." This language is inconsistent with the language set forth on Page 2-3, at lines 5-9 which provides, in part, that " state or local public agencies that propose to undertake a covered action [will] determine if the covered action is consistent with the Delta Plan. The term 'covered action' is defined in Water Code Section 85057.5(a) generally as 'a plan, program, or project ... that ... [w]ill occur, in whole or part, within the boundaries of the Delta or Suisun Marsh.'" ...Recommendation: The language on page 2-1, lines 9-11 should be rewritten to be consistent with the law as quoted on Page 2-3. The words "impact the delta" should be replaced with "occur, in whole or part, within the boundaries of the Delta or Suisun Marsh".	This comment will be considered for preparation of the Delta Plan
Association of California Water Agencies	3/2/2011	First Staff Draft Delta Plan - page 2-3, Lines 9-11:...the Delta Plan should distinguish the responsibilities and authorities of the DSC with regards to the Secondary Planning Area as compared to the Primary Planning Area. We believe that the Legislature intended to create such a distinction when it crafted the specific language set forth in Water Code Sections 85020(d), 85302(b), 85303, 85304, and 85307(a) by using verbs such as "promote", "may include", and "may identify" to describe the role of the DSC in the Secondary Planning Area.	This comment will be considered for preparation of the Delta Plan
Association of California Water Agencies	3/2/2011	First Staff Draft Delta Plan - page 2-4, Lines 23-39: The Delta Plan should include language that clearly states that the California Department of Fish and Game has sole responsibility to determine whether the Bay Delta Conservation Plan (BDCP) should be incorporated into the DSC's Delta Plan. Recommendation: We suggest the Delta Plan include additional language beginning on line 29, Page 2-4 that quotes Water Code Section 85320(e), "[i]f the Department of Fish and Game approves the BDCP as a natural community conservation plan ... and determines that the BDCP meets the requirements of this section, and the BDCP has been approved as a habitat conservation plan pursuant to the federal Endangered Species Act ... , the council shall incorporate the BDCP into the Delta Plan."	This comment will be considered for preparation of the Delta Plan

Matrix 2 Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)

Association	Date	Comment	Status of Comment
Association of California Water Agencies	3/2/2011	First Staff Draft Delta Plan - page 5-1, Lines 34-35: we are concerned that this sentence could be read to mean that California is currently failing to put water to beneficial and reasonable use, and that we grossly wasting water. Recommendation: We suggest that either the sentence be deleted, or that it is crafted in a manner that more clearly articulates the law. Consider language such as, "As provided by Article X, Section 2 of the California Constitution, the waters of California shall be put to beneficial use and the waste or unreasonable use of water shall be prohibited. Responsibility for ensuring compliance with Article X, Section 2 of the California Constitution lies with the State Water Resources Control Board."	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Association of California Water Agencies	3/2/2011	First Staff Draft Delta Plan - page 5-4, Lines 27-33: Page 5-4, lines 27-33: The finding inaccurately implies that nothing has been done in the past 40 years to improve urban and agricultural water-use efficiency and conservation. We would suggest a more proactive approach. In reality the crucial factors that have contributed to increased water use over time are California's rapidly growing population, and expanding agricultural industry that has contributed to California's economic prosperity. Recommendation: Restate the Finding to emphasize the increasing demand on water in the past half century is the result of a burgeoning population and prosperous agricultural industry. These factors increase the need for ongoing research and advanced practices to constantly improve water conservation and water-use efficiency.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Association of California Water Agencies	3/2/2011	First Staff Draft Delta Plan - page 5-5, Lines 4-5: We do not agree with the conclusion that the reuse of water, water recycling, sea water desalination, etc. are not likely to be major factors to improve water supply/reliability for several decades or more. To the contrary, if there are demonstrated benefits to the environment and water supply reliability, and the political will, ACWA believes that many of these opportunities can be implemented in a much timelier manner and provide major contributions to the advancement of the co-equal goals. Recommendation: We suggest a more proactive approach that strongly recognizes the value of these opportunities, in terms of achieving the co-equal goals, and encourages accelerated pursuit of them.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Association of California Water Agencies	3/2/2011	First Staff Draft Delta Plan - page 5-7: Public Trust Flow Standards established by State Water Resources Control Board: We suggest you either eliminate the words "public trust" or that you clearly define "public trust" to encompass both the co-equal goals.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)

Association	Date	Comment	Status of Comment
Association of California Water Agencies	3/2/2011	First Staff Draft Delta Plan - page 5-7: Groundwater Management Requirements: While the Council may find that any comprehensive water strategy for the Delta should include a discussion as to the role of and opportunities associated with groundwater management, the Delta Plan needs to recognize that groundwater management is best handled through local/regional planning. A top-down, one-size-fits-all approach will be counterproductive.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Association of California Water Agencies	3/2/2011	First Staff Draft Delta Plan - page 5-7: Application of Reasonable Use Criteria by the State Water Resources Control Board: We are concerned that this bullet may imply that modifications should be made to the process currently undertaken by the Water Board to evaluate whether a specific use of water is "reasonable". Such a determination is very fact specific. ACWA believes that the current process provides adequate assurances that the Water Board will make accurate determinations as to the reasonable use of water.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Association of California Water Agencies	3/2/2011	First Staff Draft Delta Plan - page 6-3, Lines 31-40: Page 6-3, lines 31-40: ACWA believes it is a reasonable conclusion that the "Delta ecosystem is irreversibly changed." We believe that this is a critical point for managing expectations, and for developing a realistic strategy to further the co-equal goals in the Delta. Recommendation: Additional discussion on this point in the final Plan may be beneficial to understanding limits for future actions and public expectations. This discussion could include what aspects of the Delta ecosystem can be reasonably restored and what aspects are unlikely to respond to reasonable restoration efforts.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Association of California Water Agencies	3/2/2011	First Staff Draft Delta Plan - page 6-4, Lines 13-17 and 18-24: The two findings set forth in these paragraphs are extremely important, and may warrant additional discussion in the final Plan. Recommendation: We encourage the Council to explore early actions to improve coordination amongst the permitting agencies to expedite approval of ecosystem restoration projects. We also encourage the DSC to consider a scientific structure that can provide input to restoration projects design, ecosystem recovery strategies and oversee future adaptive management efforts. Perhaps a structure similar to the current Delta Independent Science Board.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)

Association	Date	Comment	Status of Comment
Association of California Water Agencies	3/2/2011	First Staff Draft Delta Plan - page 6-6, Lines 21-31: Any reference to flow criteria (or "standards") in the Delta Plan should reiterate that such criteria should be designed to achieve both the co-equal goals and with full consideration given to how other factors ("stressors") are affecting ecosystem and species sustainability. Recommendation: Revise the sentence on lines30-31to reflect the need to address the coequal goals and the influence of other factors on ecosystem and species viability, and that the authority to develop such criteria rests with the Water Board. Possible revise language: "Any effort to develop Delta flow criteria by the State Water Resources Control Board should be designed to further both a reliable water supply and a sustainable Delta ecosystem, taking into consideration the influence of other stressors on the health of the Delta ecosystem and species viability."	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Association of California Water Agencies	3/2/2011	First Staff Draft Delta Plan - Chapter 8: The Delta Plan should also discuss what identify actions may be necessary to ensure contingency plans are in place to provide quick and effective response to any such event, including the actions necessary to ensure water is provided to people who access to water is disrupted by such a catastrophic event.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan: First is how the Council is putting off the financing plan. This vital piece would identify the magnitude of costs for the projects and management strategies identified in the Delta Plan and who can, and is willing to pay, for them...When costs, benefits, and beneficiaries are identified up front much more realistic proposals will emerge and more appropriate phasing of projects will occur.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan: Second, it is incumbent on the Delta Stewardship Council to define "water supply reliability."...Please refer to our previous submission for recommendations as to the appropriate definition.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan: The plan will be deficient if it does not deal with Environmental Justice considerations. The enabling legislation for the Delta Stewardship Council specifically calls for "... providing a reliable water supply for California ..." Yet nowhere in this first draft is there any indication of the need to provide drinkable water, especially to disadvantaged communities...It is appropriate for the Delta Plan to consider the needs of agriculture in the place of use for Delta waters; it would be unconscionable to ignore the needs of disadvantaged communities in those same areas.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Cover Letter: CALIFORNIA'S TOTAL WATER SUPPLY IS OVERSUBSCRIBED. CALIFORNIA REGULARLY USES MORE WATER ANNUALLY THAN IS PROVIDED BY NATURE. Response: We totally concur with these statements.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Cover Letter: CALIFORNIA'S WATER SUPPLY IS INCREASINGLY VOLATILE. Response: This is another finding that we agree with and which is becoming more apparent with each passing year.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Cover Letter: EVEN WITH SUBSTANTIAL ECOSYSTEM RESTORATION EFFORTS, SOME NATIVE SPECIES MAY NOT SURVIVE. Response: This is not acceptable or legal as a likely outcome...The sad truth is that we are far from implementing anything approaching our best efforts and that "substantial ecosystem restoration efforts" exist more in our imagination than in reality. Restoring freshwater flows and physical habitat on a truly large scale would represent our best efforts...Every effort should be made, consistent with the FWS and NMFS recovery plans for listed species, to recover all listed species to viable, self-sustaining populations" and to rehabilitate the ecosystem processes that support species recovery. The Delta Plan should define the recovery and restoration targets to be met and then identify the elements of aggressive restoration programs that are capable of recovering threatened and endangered species.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Cover Letter: THERE IS NO COMPREHENSIVE STATE OR REGIONAL EMERGENCY RESPONSE PLAN FOR THE DELTA. Response: This statement is not wholly correct and we provide further comments as a part of our response in Chapter 8.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: CALIFORNIA'S TOTAL WATER SUPPLY IS FINITE. Response: Significant changes are needed in how water is managed. These changes include: · Adapting to the obvious water supply limits that confront us, including reducing water exports from the Bay Delta; · Understanding that healthy aquatic environments, while representing far more than economic value, are also worth billions of dollars to our economy. · Evaluation of full implementation of the Delta Flow Criteria as adopted by the State Water Resources Control Board in August of 2010 as one of the alternatives to be considered for all future environmental impact reports related to Delta water. · Utilization of the SWRCB Delta Flow Criteria in establishing a level of flows that protect public trust resources of the Delta. · In keeping with the first key finding in the cover letter ("water supply is oversubscribed"), the DSC should develop a plan to bring CVP and SWP contract amounts in line with historic firm yields and eliminate "paper water."	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: CALIFORNIA'S WATER INFRASTRUCTURE IS INCREASINGLY VULNERABLE TO EXTERNAL FACTORS SUCH AS CLIMATE CHANGE. Response: We agree.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: THE CONSTITUTION OF CALIFORNIA REQUIRES THAT WATER BE USED FOR BENEFICIAL PURPOSES, THAT WATER BE USED REASONABLY, AND THAT NO WASTING OF WATER SHALL OCCUR. Response: We agree.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: CALIFORNIA'S WATER SUPPLY IS PROVIDED BY LOCAL, REGIONAL, STATE AND FEDERAL DAMS, RESERVOIRS AND CONVEYANCE SYSTEMS. HOWEVER, IMPROVED REGIONAL WATER SUPPLY SELF-RELIANCE IS ONE OF THE MAJOR WAYS WE CAN MEET OUR COEQUAL GOALS OVER THE COMING DECADES. Response: Regional water supply self-reliance is the existing law. Relying on the resources of another region of California before making maximum use of local supplies puts supply reliability at great risk. The Delta Plan should mandate agricultural and urban compliance with existing law and reduce exports from the Delta watershed, thereby responding to its statutory requirements to preserve the Delta and make water supplies more reliable. The current unrealistic expectations should be removed and existing supply made reliable by realigning all water supply contracts to reflect the actual supply available. Water rights permits must be based on actual known available water supplies.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: SURFACE AND GROUNDWATER SUPPLIES WILL ONLY BE RELIABLE ON A LONG-TERM BASIS IF GROUNDWATER OVERDRAFT IS ELIMINATED. Response: We agree with this finding. There are three ways to deal with this overdraft. The first is to further overdraft Delta waters to temporarily prop up those largely San Joaquin Valley uses, including the irrigation of drainage contaminating areas. The second is to overdraft currently healthy Northern California groundwater (directly or indirectly) and ship that water to the San Joaquin Valley. The third approach is to either intentionally or unintentionally see agricultural water usage in the San Joaquin Valley change.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: URBAN RESIDENTIAL WATER USE HAS NOT DECLINED FOR THE PAST 40 YEARS. AGRICULTURAL WATER USE HAS CONTINUED TO BE AT THE SAME STATEWIDE LEVEL OF APPROXIMATELY 33-34 MAF PER YEAR FOR MANY YEARS. WHAT REMAINS OF THE AVAILABLE WATER SUPPLY IS OFTEN CALLED ENVIRONMENTAL WATER. WITH POPULATION GROWTH AND LITTLE CHANGE IN WATER EFFICIENCY, CALIFORNIA'S WATER DEMANDS WILL CONTINUE TO INCREASE. Response: We do not agree with this finding. As your finding indicates agriculture water use is not growing. The 2009 State Water Plan Update projects agricultural water use to actually decrease. There is a wealth of best available science identifying how water demands can actually be reduced by millions of acre-feet annually through water use efficiency. In addition there are opportunities to develop millions of acre feet of sustainable water supplies through local stormwater capture, ground water cleanup, floodplain storage and brackish water desalination.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: WATER CONSERVATION IN ALL SECTORS CAN BE SIGNIFICANTLY IMPROVED. Response: Multiple studies conducted over the last decade show that a suite of aggressive conservation and water efficiency actions would reduce overall demand with cost-effective and existing technology. These measures will handle California's water needs well into the foreseeable future and will do so at far less financial and environmental cost than constructing more storage dams and reservoirs. The measures include: · Establish a statewide oversight unit responsible for coordinating and monitoring accomplishment of enhanced conservation targets. · Reduce average per capita urban water use to less than 100 gallons per day, with steeply tiered rates beyond that rate of consumption. · Require implementation of specific water use reduction targets by agricultural water users. · Implement statewide mandatory multiple tiered conservation rate structures as part of Urban Best Management Practices. · Reform the current water rights systems, to comply with state constitutional provisions related to unreasonable use of water, beneficial use of water, use-efficiency, and the public trust doctrine. · Reinstate the urban preference and the public ownership of the Kern Water Bank in order to meet the needs of southern California cities.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

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Association	Date	Comment	Status of Comment
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: REUSE OF WATER, RECYCLING, GROUNDWATER MANAGEMENT, STORMWATER CAPTURE, TREATMENT AND REUSE OF IMPAIRED WATERS, SEA WATER DESALTING IS VITAL TO IMPROVING THE OVERALL RELIABILITY OF CALIFORNIA'S WATER SUPPLIES, BUT IS NOT LIKELY TO BE A MAJOR FACTOR FOR SEVERAL DECADES OR MORE. Response: Two aspects of this finding are incorrect. First, many of these sustainable strategies CAN BE, HAVE BEEN AND ARE being implemented just as fast as resources allow. A check with the Department of Water Resources and major water agencies will identify how much is already being conserved (likely well over 1 million acre feet of water annually). The Bureau of Reclamation, particularly the Colorado River Region Office, and the WaterReuse Association can provide lists and capacities of water recycling projects that can be implemented in the near to mid term. Large numbers of these projects can and will be implemented far before any changes in Delta conveyance (which will not themselves increase water supply) are actually implemented. Secondly, sea water desalination, particularly using open sea water intakes, is not currently an environmentally sustainable water source. Best available science has documented its high toll on sea life resulting from intake entrapment and entrainment. In addition, with currently available technology it is the most energy and green house gas intensive method possible for providing water – most of which would be used for nonpotable purposes. By contrast brackish water desalination is a viable source because it entirely avoids the sea life deaths caused by entrapment and entrainment and it uses far less energy due to significantly less salinity of the source water.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: MANY OF CALIFORNIA'S WATER SUPPLY FACILITIES WERE INITIALLY PLANNED AND DESIGNED BASED ON CONDITIONS IN THE LATE 1800'S AND EARLY 1900'S, AND FACILITIES MAY REQUIRE MAJOR REPAIRS DUE TO AGE. Response: We concur with this finding.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: STATE WATER PROJECT LONG-TERM AVERAGE WATER DELIVERY RELIABILITY HAS DECLINED SUBSTANTIALLY IN THE PAST SEVEN YEARS. Response: Nothing has changed in the last seven years to reduce long term water delivery reliability except the enforcement of laws that have been on the books for many years. The projects (CVP-SWP) have over-appropriated water from the Delta watershed.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: STORAGE CAPACITY MUST BE INCREASED AND RESERVOIR OPERATIONS MODIFIED TO IMPROVE WATER SUPPLY RELIABILITY. Response: Storage capacity upstream of the Delta cannot be usefully or economically increased. The good locations have already had dams built upon them, and rivers and streams leading into the Delta are over-appropriated now...Present reservoir operations upstream of the Delta need to be changed to store less water in winter and spring months and to decrease deliveries during the dry part of the year to reestablish ecologic conditions that could recover species in the Delta and the Delta watershed. In addition "forecast based releases" for existing flood control dams can actually increase flood protection and result in some incremental increase in effective storage. However there is no scientific evidence that could rationally lead to a conclusion that more surface storage could help either the water supply or the environment. Artificial recharge of groundwater basins in the San Joaquin Valley should only occur in basins that have been damaged or disconnected from surface waters. Healthy, connected groundwater basins must be preserved to support existing communities, orchards, streams, terrestrial habitat and dependent species. One potential exception is storage in a portion of the Tulare Lake Bed. Because CALFED ignored this possibility there is no available analysis to determine whether it could actually have water supply and ecosystem benefits. This analysis needs to be accomplished.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: CONVEYANCE MUST BE CHANGED AND RE-OPERATED TO IMPROVE WATER SUPPLY RELIABILITY. Response: The last sentence in this finding is correct as far as it goes, "In order to do this, it will be necessary to establish clear and enforceable criteria and constraints for Delta operations." However this plan should be more forthcoming in describing how difficult it is to establish clear criteria and constraints that would actually be enforced...To provide effective guidance to the Bay Delta Conservation Plan, the Delta Plan should specifically call for environmental, engineering, financial and economic analyses, at an equal level of detail, for facility capacities from 3,000 c.f.s. to 15,000 c.f.s. as well as alternatives that would utilize existing conveyance without new major conveyance facilities.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: LOCAL STORAGE PROGRAMS CAN IMPROVE CAPTURE AND SUBSEQUENT USE OF STORMWATER FLOWS, AND POSSIBLY DRY WEATHER RUNOFF, TO INCREASE WATER SUPPLIES. Response: We agree with this finding and look to the Council for a practical program to achieve improvement in using these tools for reliability improvements.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: MANY LOCAL, REGIONAL, STATE, AND FEDERAL AGENCIES AND ORGANIZATIONS COLLECT WATER DATA, BUT USE DIFFERING METHODOLOGIES AND LEVELS OF DETAIL WHICH SEVERELY LIMITS THE USEFULNESS OF THE INFORMATION. OR LAND OWNERSHIP PATTERNS. Response: We agree, and look forward to your recommendations.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: TO BETTER UNDERSTAND AND TRACK THE WAYS WATER IS USED IN THE URBAN, AGRICULTURAL AND THE ENVIRONMENTAL SECTORS, A RIGOROUS MANADATROY STATEWIDE WATER DATA COLLECTION AND ANALYSIS PROGRAM IS NEEDED. Response: We agree, and look forward to your recommendations.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: The Plan should explicitly specify that the State Water Resources Control Board shall expeditiously begin to develop and adopt public trust flow standards for existing Delta conveyance and that no new conveyance changes shall be approved until new public trust standards for those proposed changes are adopted.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: Not only should "Further Water Supply Contracts" be under the jurisdiction of this plan, but also any amendments or extensions of existing contracts.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: Per capita water use standards should be listed under Potential Policies and Recommendations.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: Brackish water desalination should be included.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: Research on how to avoid impacts of sea water desalination on sea life and to significantly reduce energy consumption and accompanying green house gas production should be included. Sea water desalination is not ready to be listed as an environmentally sustainable source.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: It should be explicit that any "Future Water Transfer Programs – Short Term and Long Term," that go through the Delta must comply with protective public trust flow standards and not contribute to the over allocation of source area surface or groundwater resources.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 6: HABITAT EXTENT AND COMPLEXITY HAVE BEEN SUBSTANTIALLY ELIMINATED IN THE DELTA AND SUSUIN MARSH. Response: We agree.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 6: THE DELTA ECOSYSTEM IS IRREVERSIBLY CHANGED. Response: Change title to, "Parts of the Delta Ecosystems are irreversibly changed". Change the forth sentence to read, "With this context, the expectations for success rest on development of a science based conservation and restoration plan, implemented on a timely basis, prioritized by best outcome analysis, and adapted based on these outcomes. Appropriate funding for this program will be essential to successful outcomes."	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 6: NATURAL ECOSYSTEMS SELDOM CONFORM WITH POLITICAL BOUNDARIES OR LAND OWNERSHIP PATTERNS. Response: We agree.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 6: THE PROCESS FOR OBTAINING PROJECT SPECIFIC PERMITTING AND AUTHORIZATION ARE NOT WELL COORDINATED, WHICH COULD DELAY PROGRESS ON ECOSYSTEM RESTORATION. Response: Developing a specific entity to coordinate this process would streamline the effort, and make it easier for both public agencies and private landowners to work effectively. Using the Partners program within FWS would be a good place to start for a model and help with design.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 6: THE CURRENT SCIENTIFIC INFRASTRUCTURE AND EXPERTISE ARE NOT SUFFICIENT TO SUPPORT THE SCIENCE AND ADAPTIVE MANAGEMENT NEEDED FOR SUCCESSFUL ECOSYSTEM RESTORATION. Response: We basically agree, although there has been local evaluation by experts in both academia and the private sector to identify both location and size of required restoration. Consulting these entities would make the process faster to develop, and could provide the basis for a science based oversight committee to develop and implement restoration. We also suggest changing the finding to read: "...needed for successful conservation and ecosystem restoration."	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 6: EVEN WITH SUBSTANTIAL RESTORATION EFFORTS, SOME NATIVE SPECIES MAY NOT SURVIVE. Response: Change title to, "Even with substantial restoration efforts, some native species face continued threats to their viability and recovery." We feel that predicting extinction is beyond our ability, and doing so sets the stage for failure. We would suggest adding, "Every effort will be made, consistent with the FWS and NMFS recovery plans for listed species, to recover all listed species to viable, self-sustaining populations."...Best available peer-reviewed science has concluded that most of the reasons species such as salmon and delta smelt are nearing extinction are human caused. This first draft plan negates our responsibility to other species by concluding that even with "substantial" restoration effort some species may not survive...If the Plan is to conclude some species may not survive, the Plan must identify which species and what is considered "substantial" restoration and what additional restoration would be required to avoid such extinctions...We also note that changes in Delta conveyance that would contribute to species extinction are impermissible under the California Endangered Species Act, the Natural Communities Conservation Planning Act, the federal Habitat Conservation Plans as well as Sections 7 and 10 of the Federal Endangered Species act	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 6: RESTORING A HEALTHY ECOSYSTEM MAY REQUIRE DEVELOPING A MORE NATURAL SALINITY REGIME IN PARTS OF THE DELTA. Response: We agree	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 6: CONTAMINANTS DISCHARGED FROM MUNICIPAL, INDUSTRIAL, AND AGRICULTURAL SOURCES DIRECTLY OR INDIRECTLY INTO THE DELTA HAVE AFFECTED NATIVE SPECIES BY ALTERING FOOD WEBS, REDUCING FOOD WEB PRODUCTIVITY, AND PRODUCING TOXICITY. Response: We agree with this finding and point out that there are many laws and regulations that could be immediately used to limit discharges from upstream water sources...	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 6: We recommend adding this finding: THE SWRCB FLOW CRITERIA WOULD IMPROVE WATER QUALITY, AND ENHANCE THE DELTA RESTORATION FOR LISTED FISH SPECIES.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 6: FLOOD MANAGEMENT ABOVE THE DELTA AND AT THE DELTA MARGINS HAS SUBSTANTIALLY REDUCED HABITAT FOR NATIVE SPECIES THAT USE FLOODPLAINS. Response: We agree.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 6: MOST FLOODPLAINS IN THE CENTRAL VALLEY LACK CONNECTIVITY WITH THE RIVERS TO THE DETRIMENT TO THE ECOSYSTEM. Response: We agree. The present levee system does not take into account the need for annual flooding to benefit the environment. Where possible below rim dams, water diverters should be required to release enough water to over-top banks and reconnect floodplains with their associated rivers and streams.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 6: We recommend adding this finding: THE SWRCB FLOW CRITERIA MADE SPECIFIC RECOMMENDATIONS ON FLOWS TO RESTORE THE PUBLIC TRUST FISHERIES. Response: The SWRCB recommendations should be included as part of the process of evaluating the changes needed to restore the Delta and its fisheries.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 6: CURRENT IN-STREAM STRUCTURES (E.G. DAMS, WEIRS, AND GATES) IMPAIR LOCAL AND MIGRATORY MOVEMENT OF NATIVE RESIDENT AND MIGRATORY SPECIES IN THE DELTA AND UP-STREAM REACHES. Response: We agree with this finding and suggest that the Council develop a program within the Delta Plan to require all diversions to be screened and that all dams and weirs have fishways in accordance with state law. Any financial plan should require that users (beneficiaries) of projects that include dams, weirs, and gates are financially responsible for ensuring fish passage within 10 years, or cease diverting California's water.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 6: INTRODUCTION OF EXOTIC PLANT AND ANIMAL SPECIES HAVE DEGRADED THE QUALITY OF HABITAT IN THE DELTA. We agree.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 6: ENTRAINMENT AT WATER DIVERSIONS IN AND UP-STREAM OF THE DELTA ADVERSELY AFFECTS NATIVE AQUATIC SPECIES. Response: We agree	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 6: CURRENT FLOW REGIMES HARM NATIVE SPECIES AND ENCOURAGE NON-NATIVE SPECIES THROUGH THEIR EFFECTS ON TURBIDITY, SALINITY, AQUATIC PLANT COMMUNITIES, AND NUTRIENTS. Response: We agree.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 6: CLIMATE CHANGE HAS ALTERED AND WILL CONTINUE TO ALTER FLOW REGIMES. Response: We agree.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 6: We recommend adding this finding: WATER TRANSFERS THROUGH THE DELTA ALTER THE FLOW REGIME OF THE DELTA IMPACTING THE ECOSYSTEM, AND CAN NEGATIVELY IMPACT UP-STREAM AQUIFERS.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 8: THERE IS NO STATE EMERGENCY RESPONSE PLAN FOR THE DELTA. Response: It is not quite correct to state that there is no State Emergency Response Plan for the Delta. California has a Flood Control Center that has been operating for years. It responds to flood fights with technical assistance and manpower throughout California, including the Delta. Under DWR's Levee Subvention Program, a certain amount of money has been allocated for sandbags and other materials for flood fighting. The State itself, through CAL EMA has a very comprehensive structure for responding to all emergencies - flood, fire, earthquake. It organizes into area-wide command centers with pooled resources of the Army Corps, county Office of Emergency Services, county sheriffs, DWR and reclamation districts all working together when there is a flood emergency. However, we agree that there is room for improvement. We disagree that no individual county has completed a delta-specific emergency response plan. San Joaquin County, with few resources from the State and federal governments, has developed a comprehensive emergency response plan that can be used for a Delta flood emergency. It includes flood contingency maps, flood fight stockpiles, urban evacuation maps, equipment acquisitions, a unified flood fight command response structure and other actions.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 8: EMERGENCY PREPAREDNESS IS THE FIRST LINE OF FLOOD DEFENSE AND LOCAL AGENCIES ARE THE PRIMARY RESPONSIBLE AGENTS. Response: We agree.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 8: RECENT FLOODS STIMULATE EMERGENCY RESPONSE PLANNING, BUT THE PROCESS IS FAR TOO SLOW. Response: We agree, but as a practical matter when you get hit on the ground, local agencies are the best prepared to respond. There needs to be a clear State commitment along with funding to fix levee breaks and dewater flooded Delta islands. There should be establishment of a state-funded Delta Emergency Response Fund that can be used to distribute funds to local agencies for flood fighting.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 8: SUBSIDED DELTA ISLANDS ARE AT THE HIGHEST RISK OF FLOODING AND ARE LIKELY TO SUCCUMB TO FLOOD OVER THE COMING DECADES. Response: There has been tremendous subsidence of Delta islands since they were first constructed. Organic soil was originally spread throughout the Delta, but it was relatively shallow and has subsequently been largely oxidized or burned to the point that subsidence is not active on most Delta islands. LIDAR surveys indicate that few Delta areas are actively subsiding. Surveys and geotechnical evaluations show that subsidence rarely occurs close enough to levees to pose a significant risk. A "toe berm" design on existing levees can provide adequate protection. Source: Delta Engineers' letter to Senator Lois Wolk (August 4, 2009).	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 8: THE DELTA IS FLOOD PRONE. Response: We agree	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 8: DELTA LEVEES ARE ALSO THREATENED BY EARTHQUAKES. Response: We agree that Delta levees are threatened by earthquakes and that more should be done to reduce that risk. However we do not agree with the language in the Draft Delta Plan which overstates the risk of earthquake hazards and susceptibility. Based on the Delta Risk Management Strategy, the flood risk to Sherman Island, the capstone of Delta water quality is 5-7% (mean annual frequency), compared to an earthquake risk of 3-5% (mean annual frequency). The Delta Engineers' letter to Senator Lois Wolk (August 4, 2009) states numerous times that 21 years of DWR's Delta Levees Program has significantly reduced the vulnerability of Delta levees to failure. We know of no known Delta levee failure due to earthquakes.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)

Association	Date	Comment	Status of Comment
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 8: LEVEES DO NOT ELIMINATE RISK – LEVEES REDUCE RISK. Response: We agree.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 8: LEVEE SAFETY STATUS QUO IS UNACCEPTABLE. Response: We agree that improvements are needed, but we disagree that Delta levee safety is as stark as it is painted in the draft Delta Plan. The Delta Engineers' letter states that an acceptable level of protection (P.L. 84-99 and State Bulletin 192-82) can be met for a cost of \$1 billion. Furthermore, they indicate that nearly all non-project levees could be brought up to the agricultural standards with existing Proposition 84 and 1E bond funds combined with local cost sharing requirements.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 8: SETBACK LEVEES PROVIDE MULTIPLE BENEFITS. Response: We agree. However, to construct a setback levee in the Delta lowlands is a monumental task because it moves the levee away from existing foundations that have been consolidated since the early levees were first built. Constructing setback levees in the upper reaches of the Delta where drainage is better than in the lowlands is much more feasible.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 8: THE DELTA IS A CRITICAL UTILITY AND TRANSPORTATION CORRIDOR. Response: We agree.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 8: THE DELTA PROVIDES CRITICAL CORRIDORS FOR INFRASTRUCTURE SERVING POPULATIONS AND MARKETS BEYOND THE DELTA. Response: We agree.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 8: INLAND PORTS CONNECTED TO THE DELTA ARE IMPORTANT TO THE REGION'S ECONOMY. Response: We agree.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 8: THE MOKELUMNE AQUEDUCT, WHICH CROSSES THE DELTA, IS A MAJOR SOURCE OF WATER FOR THE EAST BAY. Response: We agree.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 8: MAJOR INTERSTATE, STATE, AND COUNTY ROADS CROSS THROUGH THE DELTA. Response: We agree.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 8: CRITICAL FREIGHT AND PASSENGER RAIL INFRASTRUCTURE CROSSES THE DELTA. Response: We agree.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 8: WATER DISTRIBUTION SYSTEMS WITHIN AND CROSSING THE DELTA ARE CRITICAL TO THE STATE'S WATER SUPPLY. Response: We agree.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 8: CLIMATE CHANGE THREATENS IMPORTANT INFRASTRUCTURE IN THE DELTA. Response: We agree that climate change can threaten infrastructure, but we believe that the Draft Delta Plan overstates the problem. Sea level rise occurs at a slow pace and a consistent, long-term maintenance program would enable levee systems to be upgraded to keep up with sea level rise. According to the Delta Engineers' letter, if current Delta levees are brought up to existing P.L. 84-99 and State Bulletin 192-82 standards there is already adequate annual maintenance funding from levee districts to upgrade levees over time to meet projected sea level rise.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 8: WORKING CATEGORIES OF POTENTIAL POLICIES AND RECOMMENDATIONS Response: We recommend that the Delta Stewardship Council include policies and recommendations for a Delta Emergency Response Fund that can be used to distribute funds to local agencies for flood fighting.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 9: THE DELTA SUPPORTS A UNIQUE COMBINATION OF ENVIRONMENTAL AND ECONOMIC RESOURCES THAT PROVIDE THE BASIS FOR MUCH OF ITS LOCAL ECONOMY. Response: In a discussion of the local economy, water facilities, except for those which provide local beneficial use, actually contribute to environmental degradation resulting in the decline of outdoor recreation, tourism, and local agriculture. A full economic analysis, as that underway by the Delta Protection Commission, is necessary to evaluate the impact of conveyance on local economies.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)

Association	Date	Comment	Status of Comment
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 9: THE COMPLEX SYSTEM OF DELTA GOVERNANCE COMPLICATES COORDINATED AND INTEGRATED PLANNING EFFORTS IN THE DELTA. Response: Governance issues that require a regional coordinated effort should be handled by the Delta Protection Commission. Governance issues regarding flows, export levels, and water quality should continue to be addressed by the State Water Resources Control Board. SB x7, and the resulting creation of the Delta Stewardship Council, new Delta Protection Commission authorities, and new Delta assessments for flow standards by the State Water Resources Control Board, should streamline past governance issues.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 9: AGRICULTURE IS THE PRINCIPAL LAND USE IN THE DELTA BUT HAS DECLINED FROM 80 PERCENT OF THE DELTA'S TOTAL LAND AREA IN 1984 TO 74 PERCENT IN 2008. Response: A distinction needs to be made between parceling of land in the secondary zone of the Delta versus the primary zone. Is the reduction in Delta agricultural land area attributed to local projects approved after the creation of the secondary zone? The Delta Protection Commission is working through its primary zone study, which can be used as a regional guide for future land use planning in regard to agriculture.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)

Association	Date	Comment	Status of Comment
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 9: LEVEE CONSTRUCTION AND CONVENTIONAL AGRICULTURAL PRACTICES HAVE RESULTED IN SUBSIDENCE ON DELTA ISLANDS. Response: Delta engineers via responses to the DREAMS study, and in response to Delta Vision, and in 2009 reports to Senator Lois Wolk, have repeatedly affirmed that subsidence is not continuing to occur on much of the Delta's land surface. According to local engineering estimates, of the islands marked as subsiding on the Dreams report, about 10% of their total land mass shows current subsidence. The majority of Delta subsidence occurred during the first half of the last century, and many areas of land have become packed and are simply not subsiding at the same rate as in the past. In addition, Delta farmers have moved and continue to move toward sustainable cultivation practices in order to conserve soil levels. During the recommendation process, sustainable agricultural practices and promotion of crops that contribute to the addition, or building up of land mass, should be emphasized. DSC staff should look into rice studies conducted by the San Joaquin County Ag Extension program conducted on various Delta islands over the last four years. In these studies, land mass increased through rice farming. Work has also been done on the cultivation of grapes as a tool to manage soil subsidence. A governance tool for managing and reversing subsidence is the creation and promotion of agricultural programs that conserve and help to build soil levels in the Delta.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 9: THE ACQUISITION OF FARMLAND AND SUBSEQUENT RETIREMENT OF THAT LAND AFFECTS THE ECONOMIC BASE FOR FARM SUPPORT INDUSTRIES. Response: Other Delta processes, most notably the Bay Delta Conservation Plan, call for between 40,000 and 100,000 acres of prime Delta farmland to be returned to wetlands habitat. Such calls for a conversion of farmland to habitat is already having a less than desirable impact on land values, real estate transactions, and long term planning for farming families. Habitat restoration should focus on rewarding farmers for integrating wetland habitat into current farming landscapes. In addition, as favored by Congressman John Garamendi, research should be conducted to examine possibilities for habitat restoration as part of setback levees. Additionally, lands already owned by the state should be considered for restoration, and research should be conducted to examine the viability of restoring and converting lost islands like Franks Track into wetland habitat.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 9: RISKS TO THE DELTA MUST BE REDUCED TO ALLOW FOR ITS EVOLUTION, PROTECTION, AND ENHANCEMENT. Response: Climate change will lead to increases in the flood threat, varied with decreased flows and sea level rise. These are events for which planning must be completed. New resulting infrastructure will lead to changes in levee construction and flow management in an adaptive management scheme. Such Delta planning, however, cannot take place in a vacuum. Decisions will need to be made regarding the sustainability and management of the San Francisco Bay. These policy decisions regarding the San Francisco Bay will have a direct impact on Delta climate change management plans and will need to be integrated into implementation of the Delta Plan. We suggest changing the finding to read: "Risks to the Delta and its watersheds....."	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Commentor	2/15/2011	First Staff Draft Delta Plan - Chapter 1 – your writers need to get consistent on the co-equal goals claims. They use words like "achieve", "success will be if it allows CA to move forward", and in Chapter Two, page one, line 4 "further co-equal goals". What is it?	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Commentor	2/15/2011	First Staff Draft Delta Plan - Chapter 2 – Geographic Scope, Secondary Planning Area: Comment was made at a public workshop that the Secondary Planning Area needs to include the bays downstream of Suisun (San Pablo, Central and South) but this is not yet reflected. The Bays are users of water but not by diversion, rather instream use. Stop splitting the estuary for no good reason. The Commerce/NEPA hurdle is as high as the State's.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Commentor	2/15/2011	First Staff Draft Delta Plan - Chapter 6 – The council needs to hire an editor with a "junkyard dog's" persistence at finding bias...Page 6-3, lines 37-40, you should delete the last two sentences of this finding, to be fair.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Commentor	2/15/2011	First Staff Draft Delta Plan - Chapter 6 – The council needs to hire an editor with a "junkyard dog's" persistence at finding bias...Page 6-4, second bullet finding: Delete this bullet, you are whining. The next bullet adequately explains that the scientific infrastructure and expertise are lacking; it is not the permitting that is at fault, it is the fault of the project sponsors to present a sound and complete project description.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Commentor	2/15/2011	First Staff Draft Delta Plan - Chapter 6 – The council needs to hire an editor with a "junkyard dog's" persistence at finding bias...Page 6-4, line 27-29: Delete this sentence; the point has already been made, twice, in succession.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)

Association	Date	Comment	Status of Comment
Commentor	2/15/2011	First Staff Draft Delta Plan - Chapter 6 – The council needs to hire an editor with a “junkyard dog’s” persistence at finding bias...Page 6-4, Improve Water Quality: These two code references appear to be in the wrong chapter of the draft plan. I go back to my experience once with engineers proposing we reduce organic carbon in the estuary to protect drinking water from THMs. We need to manage estuarine water quality for estuarine purposes and treat drinking water; this is real ecosystem management.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Commentor	2/15/2011	First Staff Draft Delta Plan - Chapter 6 – The council needs to hire an editor with a “junkyard dog’s” persistence at finding bias...Page 6-5, line 23: Most flood plains and almost all of the interior valley wetlands (National Wildlife Refuges and State Waterfowl Areas) are, regrettably, managed with offstream water supplies.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Commentor	2/16/2011	First Staff Draft Plan - Suggested Findings: The existing Delta is a totally artificial and unsustainable ecosystem dominated by non-native alien species.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Commentor	2/16/2011	First Staff Draft Plan - Suggested Findings: The Delta is certain to be drastically modified by continued erosion, rising sea level and/or a major earthquake, and Delta agriculture cannot be sustained in the long run.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Commentor	2/16/2011	First Staff Draft Plan - Suggested Findings: About 24 million Californians rely on the Delta for a large part of their water supply. This dependence on Delta water could be significantly reduced in two ways: 1. Many of those 24 million people could move elsewhere. This seems unlikely. 2. California could sharply reduce irrigated agriculture. This seems unwise in a world with growing competition for food and fiber from agriculture.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Commentor	2/16/2011	First Staff Draft Plan - Suggested Findings: The water supplying 24 million Californians now runs through the Delta, mixing with salty water from the Bay and wastewater from cities, farms and industries. This avoidable and deliberate pollution of the water supply is stupid on the face of it.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Commentor	2/16/2011	First Staff Draft Plan - Suggested Findings: To improve water quality and prepare for the certain collapse of existing Delta levees, we must build a canal around the Delta [or a tunnel under it, if feasible given the geologic conditions beneath the Delta]. It is unlikely to be cheaper or easier to do this in the future. If a major earthquake destroys the Delta levees before this is done, Californians dependent on Delta water will be very angry with those responsible for the safety and reliability of their water supply.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
Commentor	2/16/2011	First Staff Draft Plan - Suggested Findings: Both law and common sense require us to protect native species, especially the endangered ones, while doing the necessary engineering modifications to the artificial Delta ecosystem. However, when doing that, we must face several realities: 1. Central valley salmon abundance is predominantly controlled by ocean conditions, hatcheries, and upstream spawning habitat. It is little affected by water project operations. 2. Delta smelt abundance is undoubtedly lower than in the past, probably because of reduced food availability. However, USGS research indicates the number of delta smelt present in recent years is much higher, and they are more widely distributed, than previously believed. So, the fraction of the delta smelt population entrained by the water projects has probably been wildly overestimated. 3. There is no scientifically reliable evidence that Delta outflow, in and of itself, affects fish abundance. The limited data suggesting a relation between abundance of a few fish and Delta outflow is more likely to be related to lower pollution concentrations and increased food supplies in wet years	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Endangered Species Coalition	2/15/2011	Our concern with stakeholders is that it is likely to create conflicts and advocacy rather than good neutral recommendations based on research and facts on the ground. We feel the Council needs the best information available, like Peter provides in the Op-Ed. Stakeholders do have good inputs to make, but outside neutral parties are more likely to provide unbiased input, and be able to answer the tough questions and support responses with good references. Stakeholders have their chance for input via our recommendations and written inputs., in addition to public comments at the meetings. Additionally, listening to the panels would provide all of us with information we probably need to make our decisions and recommendations, or to modify those already made. I hope you'll consider this approach with the goal to make the panels as informative as possible.	This comment will be considered for preparation of the Delta Plan and EIR
Resident of Dixon	2/24/2011	Meanwhile, the First Draft Delta Plan pays little attention to the most assured, as well as probable, effects of diversion of huge quantities of water from the Sacramento River on surrounding agriculture in Sacramento, Yolo and Solano Counties. Clearly, agriculture, as well as terrestrial habitat, along the river will suffer as salinity from seawater moves upstream. The degree to which such salinity will also contaminate aquifers is not addressed, but certainly a likelihood. Related climatic effects will further impede area agriculture.	This comment will be considered for preparation of the Delta Plan and EIR

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
Resident of Dixon	2/24/2011	It is, however, well documented that the above referenced counties supply highly significant proportions of the world's food: 80 percent of tomatoes, for example. So, here is my point: How can any of us possibly afford to risk losing our ability to meet our most basic needs, namely, clean air, potable water and food? To damage the magnificent Delta ecosystem is, in my view unconscionable; to damage our ability to meet basic needs seems foolhardy.	This comment will be considered for preparation of the Delta Plan and EIR
Resident of Lafayette	2/15/2011	First Staff Draft Delta Plan: 1. "California's total water supply is oversubscribed. California regularly uses more water annually than is provided by nature." It is true that there are competing demands on California's water supply and that in dry years all these demands cannot be met, but it is much less clear that the total water supply is oversubscribed on a long-term basis. The problem is that not enough water is extracted and stored, whether as ground water or in surface storage facilities, at period of high flow in the rivers so that it can be used during periods of low natural flows.	This comment will be considered for preparation of the Delta Plan and EIR
Resident of Lafayette	2/15/2011	First Staff Draft Delta Plan: 2. "California's water supply is increasingly volatile." I have seen no statistical evidence that supports this contention, in either California or Australia. The fact is that precipitation in both California and Australia has been highly variable for the 100 years or more for which we have records. Again, the problem in California is that the State's plumbing system was never properly designed to accommodate this variability. But it could be reconfigured to do this.	This comment will be considered for preparation of the Delta Plan and EIR
Resident of Lafayette	2/15/2011	First Staff Draft Delta Plan: 3. "Even with substantial ecosystem restoration efforts, some native species may not survive."...This is not "best available science". This is a speculation by one group of, admittedly very well-qualified, academics, but it is a speculation, it isn't science.	This comment will be considered for preparation of the Delta Plan and EIR
Resident of Lafayette	2/15/2011	First Staff Draft Delta Plan: 4. "There is no comprehensive state or regional emergency response plan for the Delta." This statement would be much improved by the inclusion of "at present" after "there is".	This comment will be considered for preparation of the Delta Plan and EIR
Resident of Lafayette	2/21/2011	First Staff Draft Delta Plan: I wish to emphasize two things in the following comments. One is that there have been many excellent ideas submitted to you as part of the EIR scoping process, and otherwise, that do not appear to be reflected in this first draft....The second thing that I would emphasize is that there appears to me to be more common ground in these written comments than is apparent from many of the oral presentations at Council meetings. I would suggest that you need to find ways both to be more responsive to comments from both the general public and organized stakeholders, and to bring all these various people together so that there is some reasonable consensus on the final Delta Plan.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)

Association	Date	Comment	Status of Comment
Resident of Lafayette	2/21/2011	First Staff Draft Delta Plan: ...it is my judgment that in California there is enough water to go around, if its use is optimized, and if you can pry people away from the positions to which they have been anchored, in some cases for thirty years or more.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Resident of Lafayette	2/21/2011	First Staff Draft Delta Plan: I commend to you the comments of the State and Federal Contractors Water Agency dated January 28. When they say that “overbroad objectives for the content of the Delta Plan will undermine the process as well as the product”, they are correct. I also agree with their assertion that “section 85021 of the (Delta Reform) Act is inappropriately included in the NOP as providing definition to the Delta Plan's objectives”. But I would also suggest that the preceding section, 85020, is also misinterpreted in both the NOP and the First Staff Draft. These two sections are very clearly stated to be the policy of the State and to be “inherent in the co-equal goals”, but they were not intended to be the primary basis for the Delta Plan. The specific directives regarding the content of the Delta Plan come later in Sections 85300-85309. In support of this interpretation I note that 85020(h) talks about establishing a new governance structure. You do not have to do that even though it is part of State policy. The legislature did that, and you are a key part of that new governance structure.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Resident of Lafayette	2/21/2011	First Staff Draft Delta Plan: If you choose to complete an EIR, then no doubt the secondary planning area has to include both the Delta watershed and the areas outside the watershed serviced by the State Water Project, but regardless of the Act and of the requirements of CEQA, as a practical matter there is not much that you can do to directly mess with areas outside the Delta.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Resident of Lafayette	2/21/2011	First Staff Draft Delta Plan: ...what you should focus on: conveyance through, ecosystem restoration within, water quality within, flood management within, and land use within the Delta. Come up with rational policies for these five issues, and find ways to finance them, and do not get into other fights that you cannot win.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)

Association	Date	Comment	Status of Comment
Resident of Lafayette	2/21/2011	First Staff Draft Delta Plan: ...the best available science may not go very far in lighting the way to solutions. More generally, I would caution you not to think that every problem has a solution with a strictly scientific basis, or a calculated solution with little uncertainty, even within the ecosystem restoration element. Many of the solutions will necessarily be based more on consensus good management practices than on pure science. And other elements, such as conveyance and flood management, are almost purely engineering problems, not scientific problems. Use of "the best-available science" or "good science" is necessary, but not sufficient, to address complex environmental and engineering problems such as those being faced in the Delta.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Resident of Lafayette	2/21/2011	First Staff Draft Delta Plan: But good engineering and good science are still insufficient to solve complex problems. Good management is also required.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Resident of Lafayette	2/21/2011	First Staff Draft Delta Plan: A Layperson's Guide to Weighting Expert Opinion...in approximate order of importance, give more weight to the opinions of those experts: 1. Who have formal qualifications and are licensed to practice in the field in question...2. Who have practical experience not only in the field in question but in the relevant geographic area...3. Who have superior academic qualifications. All other things being equal, higher degrees count...4. Who are not trying to dredge up additional research funding by grandstanding and making problems appear to be worse than they really are. 5. Who demonstrate some measure of humility rather than hubris.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Resident of Lafayette	2/21/2011	First Staff Draft Delta Plan: Again that is right and proper as far as it goes, but a successful adaptive management strategy requires good engineering and good management as much as good science....Adaptive management is not a substitute for a well-thought-out plan in the first place. A robust adaptive management plan requires a well-thought-out plan of action or roadmap with quantified or otherwise measurable goals, for which the consequences and effects have been modeled using robust tools. These tools can then be used to back-analyze the observed effects and can be used to test why the observed effects may have varied from the predicted effects. Then there is a basis for changes in the plan of action rather than those changes being just another guess. Moreover, there has to be a management structure that enforces discipline and can respond appropriately and logically to deviations from the predicted behavior.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)

Association	Date	Comment	Status of Comment
Resident of Lafayette	2/21/2011	First Staff Draft Delta Plan: Finally, there is no need for a Chapter 4, especially if it just talks about science and logic-chains – that could be an appendix. Comments on adaptive management should be included in the actual elements of the plan, Chapters 5-9, as appropriate and should be tied to the content of those elements. Fortunately, in this case, the basic management structure is already in place in that the Council is required to update the Plan every 5 years. But that updating and adapting might require more than just jawboning to bring other agencies and their policies in line with the Delta Plan - it likely will require new legislation as well.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Resident of Lafayette	2/21/2011	First Staff Draft Delta Plan: A programmatic EIR can establish mitigation ratios or offset/describe cumulative effects or even describe large-scale effects. It is also common for a programmatic EIR to have project-specific elements that can be implemented immediately following the certification of the EIR. ...the Delta Plan is required by law to include “quantified or otherwise measurable targets associated with achieving the objectives of the Delta Plan”. If such targets are actually developed, they might form the basis for a useful programmatic EIR.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Resident of Lafayette	2/21/2011	First Staff Draft Delta Plan: One is that the plan for conveyance must not be at odds with ecosystem restoration but should by itself, even without any add-on conservation measures, constitute a major step forward in repairing the damaged Delta ecosystem. The second is that it must be recognized that the Act does not allow for the PPIC death wish for the Delta...That is not even be the lowest cost solution, as the cost of re-routing the existing infrastructure that passes through the Delta likely exceeds the cost of making the existing levee system robust in the face of floods, earthquakes and possible sea-level rise. Certainly land-use in the Delta may evolve, and there may be some changes in the landscape, but the charge in the Act to the Council and to the Delta Protection Commission, is to “protect, enhance, and sustain the unique cultural, historical recreational, agricultural and economic values of the Delta as an evolving place ..”	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Resident of Lafayette	2/21/2011	First Staff Draft Delta Plan - Chapter 5: this chapter or element should focus on conveyance and not get caught up on issues such as statewide water conservation, treatment and re-use of storm water and waste water, and trading of paper water, no matter how important those issues may be. It should focus on conveyance, and it should grapple with the questions of defining what a “reliable water supply” means and establishing “quantified or otherwise measurable targets” for the delivery of water to the Central Valley Project and the State Water Project...	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)

Association	Date	Comment	Status of Comment
Resident of Lafayette	2/21/2011	First Staff Draft Delta Plan - Chapter 5: There are two keys to addressing the conveyance issue: (1) Recognition that manmade alteration of the Delta in combination with larger export flows has turned the Delta from an estuary into a weedy lake which favors invasive species over native species; and (2) Recognition that precipitation in California is extremely variable and that past and future variability, which many climate scientists predict might be greater, must be addressed in any sustainable water management plan. Therefore, two principles must be followed: (1) That natural flows through the Delta should be restored to the maximum practical extent; and (2) That much more water should be extracted at periods of high flow and much less, or zero, water should be extracted at periods of low flows.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Resident of Lafayette	2/21/2011	First Staff Draft Delta Plan - Chapter 5: Implementation of a plan that adheres to these principles might involve four physical elements: 1. Restoration of floodplains on the Sacramento and San Joaquin Rivers and their tributaries in order to stretch out the flood hydrograph and allow export pumping at high levels for as long as possible; 2. New pumping facilities somewhere in the Western Delta to allow flows to pass through the Delta in a natural way before surplus flows are extracted; these facilities might include some temporary storage; 3. One or more tunnels that can move the extracted water to a large temporary storage facility until the existing pumps can move it south; this storage facility would likely be located adjacent to and might incorporate the existing Clifton Court Forebay; 4. Additional south-of-Delta storage, much of it likely as groundwater but also including new Westside surface storage. All these facilities should be designed in such a way that they can be progressively enlarged if that is justified by the initial performance...No conveyance alternative should be acceptable unless it provides satisfactory data on the long-term implications for environmental flows and sustainable water exports...As to who should manage and operate new Delta conveyance facilities and new South of Delta storage facilities, the answer is clear in the case of the latter – they should be planned, managed and operated by the San Joaquin Valley water users. I believe that the best solution for planning, management and operation of new Delta conveyance and temporary storage facilities would be a new JPA including the Delta Counties and Water Agencies.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
Resident of Lafayette	2/21/2011	First Staff Draft Delta Plan - Chapter 6: The broad principles that should be followed are relatively clear and should include restoring connectivity, complexity and variability to the Delta ecosystem on a landscape scale, that is throughout the Delta, rather than on a piece-meal basis. It must also be recognized that the Delta ecosystem is not a closed system and that the ocean-bay-Delta-rivers system must be addressed as a whole. But a systematic ranking or prioritization of possible conservation measures has never been done	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Resident of Lafayette	2/21/2011	First Staff Draft Delta Plan - Chapter 6: Tentative ranking of stressors 1. The first order factors: a. Climate variability, including both the magnitude of winter and spring freshwater pulses and oceanic conditions...b. Flow regime...2. Landscape - have all been altered by man, we have limited but nonetheless some significant opportunities to reverse course: a. Connectivity b. Complexity c. Variability 3. The second order factors - which are mostly a function of 1 and 2, and are not really independent unless you want to physically stir up turbidity or construct salinity control barriers: a. Salinity b. Temperature c. Turbidity d. Natural nutrients 4. Introduced stuff - should all be eliminated...a. Unnatural nutrients b. Contaminants c. Disease 5. Harvest- the first of these should be eliminated or at least reduced to insignificant levels: a. Entrainment b. Predation c. Fishing	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Resident of Lafayette	2/21/2011	First Staff Draft Delta Plan - Chapter 6: Tentative list of conservation measures...1. Restore sunken islands including Franks Tract, Mildred Island and Western Sherman Island as tidal marsh and/or tule marsh. 2. Work with the Bay Conservation and Development Commission (BCDC) and the existing landowners, who are primarily duck clubs, to convert the Suisun Marsh into tidal and sub-tidal wetlands 3. Encourage the growth of native vegetation on the water side of all Delta levees which will not only provide significant ecological benefits but also recreational and tourism benefits. At selected locations this vegetation may be extended into the existing waterways on berms, or up widened levees to create riparian habitat. 4. Preserve the tradition of agriculture in the Delta as much as possible while developing mechanisms to encourage agricultural interests to adopt habitat friendly agricultural practices such as those employed by The Nature Conservancy on Staten Island, providing benefits to wildlife, recreation and tourism. 5. Restore some measures of complexity to the Delta waterways by, in addition to creating more natural channel margins as discussed in (3) above, making use of both set-back levees and berms to create more natural slough geometries, and using rock barriers to create more dead-end waterways. 6. Convert additional lands to tidal marsh and sub-tidal habitat.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)

Association	Date	Comment	Status of Comment
Resident of Lafayette	2/21/2011	First Staff Draft Delta Plan - Chapter 7: There are three big water quality issues in the Delta: (1) flow and circulation; (2) salt water intrusion; and (3) introduction of nutrients and contaminants from the watershed and from within the Delta itself.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Resident of Lafayette	2/21/2011	First Staff Draft Delta Plan - Chapter 8: There are three big water quality issues in the Delta: (1) flow and circulation; (2) salt water intrusion; and (3) introduction of nutrients and contaminants from the watershed and from within the Delta itself.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Resident of Lafayette	2/21/2011	First Staff Draft Delta Plan - Chapter 8: For starters, it does not seem to me that letting Delta levees fail is an option...this is at odds with more general water quality goals and it must be noted that the historic Delta in fact never contained large expanses of open water. Flooded islands also have other undesirable features such as increasing the loads on adjacent levees and potentially eliminating habitat for listed terrestrial species. Thus, a more rational strategy is not only to work to limit or prevent future levee failures, but also to restore in some form the presently flooded islands.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Resident of Lafayette	2/21/2011	First Staff Draft Delta Plan - Chapter 8: ...it is impractical to design Delta levees, or in fact any levee system, to precisely have a uniform risk, although we should work in that direction. However, a more useful role for risk analysis would be to use the DRMS methodology with improved and updated data as a tool for evaluating progress on making the levees more robust.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Resident of Lafayette	2/21/2011	First Staff Draft Delta Plan - Chapter 8: 1. Opinions vary as to the current condition of the delta levees but these differences are exaggerated in public discussion as a result of posturing by one side or another...	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Resident of Lafayette	2/21/2011	First Staff Draft Delta Plan - Chapter 8: 2...(i) the levees hold back water every day so that their static stability and seepage control measures are pretty good; (ii) "sunny day failures" are still a problem but the likelihood of these failures can be minimized by better monitoring; (iii) earthquake-induced failures are a legitimate concern but opinions vary on how great the hazard really is and more precise evaluations are hampered by a lack of data (paraphrased).	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Resident of Lafayette	2/21/2011	First Staff Draft Delta Plan - Chapter 8: 3. The DRMS study is not a good basis for drawing any numerical conclusions because it was schedule-driven and hampered by big data gaps.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)

Association	Date	Comment	Status of Comment
Resident of Lafayette	2/21/2011	First Staff Draft Delta Plan - Chapter 8: 4. My own opinion is that with continuing improvements funded by the State's subventions program and the \$200m that is being made available by the Federal government through the Corps of Engineers, the Delta levees are, or will be, in not such bad shape for flood and earthquake loadings with a 100 year return period.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Resident of Lafayette	2/21/2011	First Staff Draft Delta Plan - Chapter 8: 5. However, given the importance of the levees for maintaining the Delta as a place and protecting the vital infrastructure that runs through it, designing for a 100 year return period is inadequate. Critical structures in this state like schools and hospitals are designed for something like a 1000 year return period. The new East Bay Bridge, which is a critical structure, but no more critical than many of the Delta levees, was designed for 1500 year return period ground motions. On balance, design for flood and earthquake loadings with return periods in the order of 500 years would appear to be appropriate.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Resident of Lafayette	2/21/2011	First Staff Draft Delta Plan - Chapter 8: 6. It is feasible to design for 500-year return period loadings by widening the existing levees on the land side as shown by the "super levees" designed for Delta Wetlands. Such levees can be constructed at a cost which might be in the order of \$5-8m per mile. These levees can also easily be raised as necessary to accommodate sea level rise.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Resident of Lafayette	2/21/2011	First Staff Draft Delta Plan - Chapter 8: 7. A critical component of the ecosystem restoration element of the Delta Plan should be the restoration of native vegetation on the water side of every Delta levee. This might require the installation of an engineered rodent and root barrier but can otherwise be easily accommodated by using a more substantial levee section.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Resident of Lafayette	2/21/2011	First Staff Draft Delta Plan - Chapter 8: 8. Other levee standards are not applicable to the Delta and the Delta Plan should include a Delta-specific levee standard. This standard should require advanced monitoring for defects and real-time alerts of deformation or failure.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Resident of Lafayette	2/21/2011	First Staff Draft Delta Plan - Chapter 8: .9. Both Jeff Mount and Bob Bea are calling for wider use of risk- based approaches for dealing with the Delta levees. That is fine in theory, and an updated risk assessment might be a good way to prioritize spending on Delta levees, but it should be recognized that there are significant uncertainties in such analyses and that they cannot be used directly for design purposes. Common-sense rules, such as giving priority to the islands in the Western Delta are likely to be just as, or more useful.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)

Association	Date	Comment	Status of Comment
Resident of Lafayette	2/21/2011	First Staff Draft Delta Plan - Chapter 8: 10. The cost of the required improvements is manageable relative to the value of the infrastructure that passes through the Delta (including water conveyance) and the cost of relocating this infrastructure. There is a relatively simple path to financing such super levees as outlined in my recent remarks to the Contra Costa Council Water Task Force.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Resident of Lafayette	2/21/2011	First Staff Draft Delta Plan - Chapter 8: I also note that DWR has actively been working on both emergency response and assessment of the time that export supplies might be interrupted by massive levee failures. My understanding is that current assessment is that supplies will not be disrupted for more than six months in the worst case and likely only for shorter periods. It is important that this finding be confirmed and publicized as it undercuts one of the main arguments that has been made for the need for a BDCP-like isolated conveyance.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Resident of Lafayette	2/21/2011	First Staff Draft Delta Plan - Chapter 9: While some evolution in uses is likely, significant changes in the geometry of the Delta islands are unlikely. The failure of Delta levees and the creation of open water within the Delta will not restore the historic condition and is undesirable for a number of reasons. Restoration of some measure of complexity to the Delta waterways is desirable but this can best be accomplished by recovering the sunken islands, not as farmed islands but as tidal wetlands, by encouraging the growth of native vegetation on the water side of all the levees and perhaps adding water side benches, and possibly by restricting the flows in selected channels.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
Resident of Lafayette	2/21/2011	First Staff Draft Delta Plan - Chapter 9: A policy for protecting and enhancing the Delta as a Place...1. Preserving and evolving the Delta as a Place requires a rational policy for maintaining and improving Delta levees and a mechanism for funding these improvements...2. The Delta levee and water conveyance policies should allow for adaptive management in order to adjust to sea level rise as necessary. 3. Encouragement of the growth of native vegetation on the water side of all Delta levees will not only provide ecological benefits but significant recreational and tourism benefits. 4. The tradition of agriculture in the Delta should be preserved to the maximum extent possible. However, mechanisms should be developed to encourage agricultural interests to adopt habitat friendly agricultural practices such as those employed by The Nature Conservancy on Staten Island, providing benefits to wildlife, recreation and tourism. 5. The Delta Stewardship Council, in conjunction with the Delta Protection Commission and the Delta Conservancy should establish a Delta Recreation and Tourism Board that will actively promote Delta recreation and tourism, with an emphasis on eco-tourism. 6. Subdivision-type development in the Delta should be discouraged but policies should be adopted to preserve and enhance the existing towns with an emphasis on supporting both agriculture and recreation and tourism. 7. Land-use planning policies should encourage the development of recreational and tourism facilities on broadened levees that provide positive flood protection as well as access to the water. 8. New intrusive infrastructure should be prohibited, except for improved highways, and existing intrusive infrastructure such as overhead power lines should re-replace or re-routed at the end of its useful life.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Resident of Lafayette	2/21/2011	First Staff Draft Delta Plan - Governance Plan: ...there is really no need for a governance plan. The governance plan, for better or worse, has already been specified by the Act. To be sure, additional legislation will likely be needed to provide financing of implementation of the Delta Plan and perhaps to clarify and extend the powers of the Council, but the governance structure consisting of the Council, the Delta Protection Commission and the Delta Conservancy, is already in place.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Resident of Lafayette	2/21/2011	First Staff Draft Delta Plan - Finance Plan: Conveyance. Improved conveyance should be paid for by the Contractors but they should not be asked to pay under this element for any environmental restoration activities other than direct mitigation required as a result of construction activities, because any approved conveyance will by itself make enormous strides towards repairing the Delta ecosystem.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)

Association	Date	Comment	Status of Comment
Resident of Lafayette	2/21/2011	First Staff Draft Delta Plan - Finance Plan: Ecosystem Restoration. Other ecosystem restoration efforts should be funded by state and Federal grants, because the Bay-Delta is an estuary of state and national significance, and by private monies that may be donated to the Delta Conservancy. However, a base level of funding should be generated by a fee imposed on all users of water from the Delta and the Delta watershed, that is, upstream diverters, in Delta users, and export Contractors. All these users have contributed to the damage to the Delta ecosystem and they should contribute to its repair.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Resident of Lafayette	2/21/2011	First Staff Draft Delta Plan - Finance Plan: Levees. Levee improvements should be financed in part by the Federal government because of its historic support for protecting navigable waterways and because of the national economic security implications of massive failures of the Delta levees. Otherwise the bulk of the monies required should be raised by imposing fees on an infrastructure that passes through the Delta. Until such time as new conveyance facilities are completed, the export Contractors should contribute to this fund but once those facilities are completed the Contractors should be excused since they will no longer be so dependent on the levees. Delta landowners should contribute at something like the level of their historic contributions but it should be recognized that Delta landowners also contribute sweat equity by service on reclamation boards and by providing inspection, maintenance and flood-fighting services.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Resident of Lafayette	2/21/2011	First Staff Draft Delta Plan - Chapter 12: These subjects should be covered within each element and keyed to the specific policies and actions that are described in those elements, and a separate chapter is not required.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Restore the Delta	3/1/2011	First Staff Draft Delta Plan:...Restore the Delta encourages staff to move away from hackneyed formulations about the Delta...For example, the claim about "providing drinking water to about 23 million people"...This phrasing is terribly misleading...DWR's own statistics that show that water from the Delta itself provides less than 20%, and perhaps as little as 10%, of the state's overall water supply, making far fewer than 23 million people reliant on the Delta for their drinking water, although that many do rely on the watershed.	This comment will be considered for preparation of the Delta Plan and EIR

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
Restore the Delta	3/1/2011	First Staff Draft Delta Plan:...if staff insists on using the "hub" metaphor, at least include all the spokes. Recommended revision: "The Bay-Delta estuary is the hub of California's two largest water distribution systems, the federal Central Valley Project and the State Water Project. In addition, at least 7,000 other permitted water diverters, including upstream diverters, have developed water from the Delta watershed. Developed water in the entire watershed provides water for drinking and other uses for 23 million people and irrigation water to about seven million acres of agricultural lands. Flows from the estuary sustain the state's Pacific Coast fisheries. "	This comment will be considered for preparation of the Delta Plan and EIR
Rossmann and Moore	2/28/2011	First Staff Draft Delta Plan: 3-4. Definitions, which omit reliability. Please make clear that reliability means determining a level and schedule of water extractions that is sustainable during multiple dry years. (Compare that language in SBs 901, 601, 221.) It does NOT mean increasing exports from the Delta.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Rossmann and Moore	2/28/2011	First Staff Draft Delta Plan: 5-3. "the constitutional public trust doctrine." In every other place you got it right, as the Legislature ultimately did in 2009: reasonable and beneficial use is in the Constitution; public trust (except as to submerged lands, NOT water) is not. But here on 5-3 the quoted portion emerged uncorrected.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Rossmann and Moore	2/28/2011	First Staff Draft Delta Plan: 5-4. per capita water use in urban areas essentially the same for 40 years. How does one define "urban areas"? Perhaps a more encouraging mark is that LA now uses less than in 1977, when we got the Inyo injunction, than now with 30 percent more people. The heading "urban residential water use not declined for past 40 years" perhaps unfair or at least sufficiently unspecific. Need to distinguish areas where per capita use has declined from those where not.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Rossmann and Moore	2/28/2011	First Staff Draft Delta Plan: 5-5. storage downstream of the Delta. Good idea. How about starting with State reassertion of its interest in Kern Water Bank? In the PCL settlement discussions and comment on the latest DWR EIR, still like the underlying decision under challenge in Sacto Superior Court, we proposed a true public JPA...	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Rossmann and Moore	2/28/2011	First Staff Draft Delta Plan: Related, how about recommending DWR declare the SWP in permanent shortage, with percent of shortage reflecting the reliability that will result from your ultimate recommendations spelled out...	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
Sacramento-San Joaquin Delta Conservancy	3/11/2011	First Staff Draft Delta Plan - page 1-3, Lines 14-40: Comment: Legislative quotes taken from SBX 7 1, sections dealing with the Delta Protection Commission and the DSC; similar language in the Conservancy's section was not selected. Suggested addition: add The Delta's history is rich with a distinct natural, agricultural, and cultural heritage. It is home to the community of Locke, the only town in the United States built primarily by early Chinese immigrants. Other legacy communities include Bethel Island, Clarksburg, Courtland, Freeport, Hood, Isletown, Knightsen, Rio Vista, Ryde, and Walnut Grove. (Public Resources Code Section 32301(f))	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Sacramento-San Joaquin Delta Conservancy	3/11/2011	First Staff Draft Delta Plan - page 1-4, Lines 6-11: Comment: what are the consistent conclusions to the sentences beginning with "While some policy implications..." Suggested edit: "While some of the policy implications of these studies are disputed, the studies' underlying conclusions are consistent: Delta resources are at risk. These resources include water supplies and ecosystem health, levees that provide public and infrastructure safety, and the base of the Delta's economy—agriculture."	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Sacramento-San Joaquin Delta Conservancy	3/11/2011	First Staff Draft Delta Plan - page 1-4, Line 15: Comment: In its interim strategic plan, the Delta Conservancy acknowledges that the Delta is a diverse region and is not a "one size fits all" sort of place. Suggested edit: delete "of the community" and change to "of its communities."	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Sacramento-San Joaquin Delta Conservancy	3/11/2011	First Staff Draft Delta Plan - page 2-2, Line 35: Comment: The tone and language of SBX7 1 is one of cooperation and collaboration across several state agencies, and specifically among the Delta Protection Commission, the Delta Conservancy, and the Delta Stewardship Council. Water Code Section 85204 says: The council shall establish and oversee a committee of agencies responsible for implementing the Delta Plan. Each agency shall coordinate its actions pursuant to the Delta Plan with the council and the other relevant agencies." The council has established a committee with DPC and the Conservancy and others to coordinate planning and implementation efforts, and this is a good place to acknowledge that progress. Suggested edit: delete the first sentence about the council being the agency to implement the Delta Plan and replace it with the statute language; then add In addition, the Council has established committees with state and federal agencies, including the Delta Conservancy and the Delta Protection Commission, to coordinate planning and implementation efforts.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
Sacramento-San Joaquin Delta Conservancy	3/11/2011	First Staff Draft Delta Plan - page 2-4, Lines 17: Comment: Why is Santa Clara's HCP/NCCP included in this list? Suggested addition: add Yolo County to the list of HCP/NCCPs; delete or explain why Santa Clara's is on the list.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Sacramento-San Joaquin Delta Conservancy	3/11/2011	First Staff Draft Delta Plan - page 6-1, Lines 3-8: Suggested addition: add the Delta Conservancy's interim strategic plan to the list of ongoing work from which the Council will receive input	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Sacramento-San Joaquin Delta Conservancy	3/11/2011	First Staff Draft Delta Plan - page 6-1, Line 15: Comment: define "ecosystem services"	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Sacramento-San Joaquin Delta Conservancy	3/11/2011	First Staff Draft Delta Plan - page 6-3, Line 18: Comment: define "resilience"	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Sacramento-San Joaquin Delta Conservancy	3/11/2011	First Staff Draft Delta Plan - page 6-3, Lines 20-22: Comment: This first sentence does not strongly support the declaration and lets the reader infer that the habitat that currently exists is not natural. Suggested edit: The Delta was transformed more than 100 years ago from a vast, complex, and diverse system of meandering sloughs and habitats into its more engineered and homogeneous waterways and habitats.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Sacramento-San Joaquin Delta Conservancy	3/11/2011	First Staff Draft Delta Plan - page 6-3, Line 30: Suggested addition: build your "Reference" or "Works Cited" section as you produce the drafts of the Delta Plan so readers can identify which specific work is being cited.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Sacramento-San Joaquin Delta Conservancy	3/11/2011	First Staff Draft Delta Plan - page 6-3, Line 33: Comment: the last part of the sentence "...restoration to the historical Delta is not possible" is accurate and actually highlights some of the conflicting goals in the Delta. For example, attempting to restore the Delta to its historic ecosystem would reduce drinking and agricultural water quality for many in the region.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Sacramento-San Joaquin Delta Conservancy	3/11/2011	First Staff Draft Delta Plan - page 6-3, Line 35: Comment: "regime shift," while accurate, is scientific jargon. Suggested edit: In addition, recent evidence related to the Pelagic Organism Decline suggests that the ecosystem's food chain has undergone a regime shifted..." Comment: add definition of Pelagic Organism Decline.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
Sacramento-San Joaquin Delta Conservancy	3/11/2011	First Staff Draft Delta Plan - page 6-4, Lines 1-24: Comment: These three bulleted declarations are precisely what the Delta Conservancy is promoting in interim strategic plan and will develop policies and priorities for as it completes the final version of its strategic plan. The Delta Conservancy anticipates that the policies and priorities it develops around these three declarations will be included in the Delta Plan, pursuant to Water Code Sections 85300(b) and 85302(h).	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Sacramento-San Joaquin Delta Conservancy	3/11/2011	First Staff Draft Delta Plan - page 6-5, Lines 28-38: Comment: This section also needs to include migratory corridors for terrestrial and avian species, not just fish species. The Delta Conservancy will assist in developing additional text in future versions of the Delta Plan.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Sacramento-San Joaquin Delta Conservancy	3/11/2011	First Staff Draft Delta Plan - page 6-6, Lines 32-38: Comment: In completing its strategic plan, the Delta Conservancy will be addressing climate change policies regarding Delta ecosystem restoration and anticipates that this will be included in the final Delta Plan.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Sacramento-San Joaquin Delta Conservancy	3/11/2011	First Staff Draft Delta Plan - page 6-7, Lines 1-18: Comment: Under the Sacramento-San Joaquin Delta Conservancy Act (Public Resources Code 32300 et seq.), the Delta Conservancy is required to carry out ecosystem and habitat restoration, facilitate safe harbor agreements, and support water quality efforts; the Delta Conservancy is also allowed to own and manage land in the Delta. Given its statutory mandates, the Delta Conservancy is actively pursuing establishing policies and priorities in several of the listed categories. The Delta Conservancy anticipates that the policies and priorities it develops, especially around the categories of land acquisition, habitat restoration, streamline permit processes, safe harbor agreements, and water quality, will be included in the Delta Plan, pursuant to Water Code Sections 85300(b) and 85302(h).	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Sacramento-San Joaquin Delta Conservancy	3/11/2011	First Staff Draft Delta Plan - page 9-1, Lines 27-28: Comment: define "inappropriate recreational use"	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
Sacramento-San Joaquin Delta Conservancy	3/11/2011	First Staff Draft Delta Plan - page 9-4, Lines 11-22: Comment: The Delta Conservancy is the state agency leading the effort to coordinate Delta planning efforts. Under Public Resources Code Section 32360(b)(3), the Conservancy may fund a program within the Conservancy for economic sustainability in the Delta, based on the Delta Protection Commission's economic sustainability plan. The Delta Conservancy is in a position to lead the collaboration and cooperation in coordinating local planning efforts with regional, state, and federal planning efforts.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Sacramento-San Joaquin Delta Conservancy	3/11/2011	First Staff Draft Delta Plan - page 9-5, Lines 29-31: Suggested edit: About 75 percent of the Delta's total land area is Prime Farmland, the category designating the most productive category of type of farmland. The division of agricultural lands into smaller parcel sizes adversely affects the viability of agriculture and also interferes with migratory trails for terrestrial species.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Sacramento-San Joaquin Delta Conservancy	3/11/2011	First Staff Draft Delta Plan - page 9-7, Lines 25-39: Comment: Under the Sacramento-San Joaquin Delta Conservancy Act (Public Resources Code 32300 et seq.), the Delta Conservancy is required to support efforts that advance environmental protection and the economic well-being of Delta residents. Given its statutory mandates, the Delta Conservancy is actively pursuing establishing policies and priorities in several of the listed categories. The Delta Conservancy anticipates that the policies and priorities it develops, especially around the categories of protecting and preserving Delta agriculture and working landscapes; providing increased opportunities for tourism and recreation; and promoting Delta legacy communities and economic vitality in the Delta in coordination with the Delta Protection Commission, will be included in the Delta Plan, pursuant to Water Code Sections 85300(b) and 85302(h).	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)

Association	Date	Comment	Status of Comment
San Joaquin County	2/16/2011	First Staff Draft Delta Plan: I believe that I have provided to...the Council the details of our flood contingency maps, our flood fight stockpiles, our urban evacuation maps, equipment acquisitions, the unified flood fight command response structure that we have put in place, and other actions taken for a Delta flood. Certainly these documents and actions are not headed with "Delta specific response plan" (which would be against Federal and State disaster planning policy of many years standing). But to take that information and subsume it into an innuendo that no plans exist at any level is uncalled for, reflects a clear intent to ignore input provided, and is also unjust...What little credit you give in the report is in the sentence "the department of Water Resources works with local and county emergency responders in the Delta under the..." This despite the fact that we in SJC have accomplished our flood contingency mapping, etc. without the benefit of any help from DWR, or CalEMA, except for empty statements that "this is really good stuff and we need to do it".	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin County	2/16/2011	First Staff Draft Delta Plan: If it is the Council's and their staff's desire to stimulate further emergency planning I could not agree more. More needs to be done. But just remember, we in SJC have pursued our planning, and all that we have achieved mentioned above, without the benefit of any resources from the State and very little from the Federal government. I think that the Council reports should reflect the reality on the ground even if their desire is that more should be done. To just make general derogatory comments toward the people who are actually responsible for the Delta's safety and trying to fulfill that responsibility under significant funding constraints is unfair and hardly good public policy.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin County	2/17/2011	The Major Problems with Levee Flood Fight Response: Problem #1: While we may "liaise" or "coordinate" we respond essentially as independent agencies; reclamation districts, cities, counties, and DWR under our own budgets and processes. Our reaction is governed in large part by our own internal budget problems. We respond as much to our own internal command structure as to any common multi-jurisdictional understanding of the situation at the scene. We struggle with our own internal policy issues. We process our own FEMA claims and struggle with regulations and eligibility issues independently of each other. We end up competing to buy the same materials, we operate independent logistical systems, and take too long to make mutual critical decisions, decide who is going to do what, and get to the point of action.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)

Association	Date	Comment	Status of Comment
San Joaquin County	2/17/2011	The Major Problems with Levee Flood Fight Response: Problem #2: A good response system empowers and encourages the lowest level of command that can deal with a problem to deal with it. Our current system (RDs, local government, DWR, and other State agencies) disempowers the lowest level of government “command” and forces decisions for relatively modest levee problems to higher levels of command or levels of government where either decision making authority and/or funding is available. The lowest level of command is the people on the scene; the reclamation district officials and their engineers along with the County, DWR, and Federal officials in the field. The people on the scene have the best information, get it more quickly, can assess the situation more quickly, and can act more quickly due to their proximity to the problem. However, for problems that go beyond sandbags, we have an upside down funding system where the RDs quickly throw up their hands due to lack of funds and local representatives of those agencies that may have the funds have to go through internal hierarchies to get permission to act. Response is delayed due to the need to transfer information to these higher levels of command, e.g. the F.O.C., which are subsequently overwhelmed in a major flood with problems that RDs and their local engineers could handle themselves if funding were available.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin County	2/17/2011	The Major Problems with Levee Flood Fight Response: Problem #3: We have not been taking the opportunity before the flood to collect critical missing information, preplan interagency flood fights, determine response options to foreseeable levee failure scenarios, and make agency preassignments so agency personnel can do detailed preplanning. We go into floods in an ad hoc manner. We work out coordination of logistics and communications on the fly. We figure out what should be done if a levee fails at the time under horrible time constraints, the worst political pressure, and lacking key information to make rapid and effective decisions. We act as if floods are mysteries that can only be understood when they arrive. We won’t make commitments to a pre-assigned role in responding to a levee failure because we haven’t 1) done the pre-planning that could be done to specifically identify these needed actions, and 2) are afraid that such effective pre-planning would “commit us” and have a budgetary implication that we want to ignore until we can’t, when the flood arrives.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: Throughout the DP there are references to the goal for water supply as "manage water resources," rather than using the statutory description of "providing a more reliable water supply." This is inappropriate and the language of the statute should be used rather than the phrase "manage water resources." The use of that term to describe a subset of water management actions contributing to greater reliability would be appropriate, but not as an overarching approach to fostering achievement of the coequal goals.	This comment will be considered for preparation of the Delta Plan
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: The DP should include discrete references to the outcomes set forth in section 85302(d)(1)(3), and use them as organizing principles for the actions, policies, strategies and recommendations proposed within the DP that are intended to further their achievement.	This comment will be considered for preparation of the Delta Plan
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: We also point out that the draft does not discuss the reasonable use doctrine in a balanced manner. All beneficial uses of water within California are subject to the doctrine and the dictates of the Constitution's Article X, Section 2. The DP must incorporate that principle not only in its recommendations regarding "water management actions", but also to potential measures intended to benefit fish and wildlife.	This comment will be considered for preparation of the Delta Plan
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: In addition, although the draft defines "best available science", it cites documents to support some of its findings, conclusions and recommendations that do not meet that definition.	This comment will be considered for preparation of the Delta Plan
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: It is important that the DP describe "covered actions" consistently throughout and with a level of detail reflective of the definition in the Act, rather than only stating that covered actions are those that occur in whole or in part in the Delta or Suisun Marsh. Per section 85057.5 of the Act, there are additional criteria that must all be satisfied before an activity qualifies as a "covered action" and is subject to the Council's consistency review authority...We urge the Council to focus, as well, on the particularly important need for the overall clarity of the DP given that state and local public agencies proposing to undertake "covered actions" must prepare a written certification that includes detailed findings that the proposed action is consistent with the DP.	This comment will be considered for preparation of the Delta Plan

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: With respect to the "working categories of potential policies and recommendations" found at the end of each chapter, the Council and the DP must take into account and not seek to reinvent the wheel where the state, with stakeholder input, has already developed policies and recommendations, and sometimes performance measures, for many of these same categories in the last few years. The Council and the DP should identify those efforts and allow sufficient time for agencies to implement such existing recommendations before rushing to develop redundant policies and regulations.	This comment will be considered for preparation of the Delta Plan
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: Chapter 1 - should identify the Delta as critical not only to California, but also to the Nation.	This comment will be considered for preparation of the Delta Plan
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: Chapter 2 - "Implementation" of the coequal goals is not a "purpose". "Contributing to the achievement of the coequal goals" is a "purpose" and such language should replace "implementation".	This comment will be considered for preparation of the Delta Plan
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: Chapter 5 - "reliability imported from the Delta" doesn't make sense. Instead of "Measurable Assessment of Water Supply Reliability Imported from the Delta Watershed", we suggest "Measurable Assessment of Long-Term Reliability of Water Supplies Imported from the Delta Watershed."	This comment will be considered for preparation of the Delta Plan
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: Chapter 5 headings list a finding to "Promote" a more reliable water supply but then Chapter 6 is entitled "Restore Delta Ecosystem". These are not "equal" objectives consistent with "the coequal goals." To be consistent with the definition of the coequal goals in the Delta Reform Act, "Promote" in the Chapter 5 heading should be replaced with "Provide".	This comment will be considered for preparation of the Delta Plan
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 1-1, L 3: "ensure" is not the right word, as the legislation itself will do no such thing. We suggest "establish improved" as a substitute for "ensure", along with adding "as the coequal focal points of water management in the state." at the end of the sentence after "Marsh".	This comment will be considered for preparation of the Delta Plan

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 1-1, L 11: the "fundamental purpose" cannot be to "achieve" the coequal goals, as no single action or plan will achieve them. There will be multitudes of actions all over the state, as well as in the Delta, necessary to actually "achieve" the coequal goals over the course of decades. The purpose is to develop a DP that will contribute to the achievement of and "further" the coequal goals as part of a broader approach that will ultimately include actions beyond the scope of the DP and the jurisdiction and authorities of the Council.	This comment will be considered for preparation of the Delta Plan
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 1-1, L 22: "reduce future risks" to "most" of California. The risks to the Delta, Suisun Marsh and "most of California" are distinct and should be more specifically identified to better understand what the DP is being designed to address.	This comment will be considered for preparation of the Delta Plan
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 1-1, L 24: substitute "help California attain" for "attain" the coequal goals.	This comment will be considered for preparation of the Delta Plan
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 1-1, L 28: insert "all of the related" prior to "the water and ecosystem".	This comment will be considered for preparation of the Delta Plan
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 1-2, L 3-4: Heading (and following discussion) should also identify the Delta's role as the hub of the state's major water projects and as being critical to California and the nation, considering the economic activity and agricultural production dependent on State Water Project (SWP) and federal Central Valley Project (CVP) deliveries.	This comment will be considered for preparation of the Delta Plan
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 1-2, L 6-7: Water doesn't "flow" through the Delta to "more than two-thirds of all Californians." Water diverted to storage upstream and released there from eventually flows to and through the Delta to the SWP/CVP pumping and conveyance facilities, which then deliver it to agencies serving 25 million Californians, and 4 million acres of highly productive agricultural lands.	This comment will be considered for preparation of the Delta Plan
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 1-2, L 7-9: The 600,000 residents number should be replaced with or supplemented by the split of residents between the secondary and primary zones, or at the very least, the sentence should end by acknowledging that most live on the edges of the Delta in the "Secondary Zone."	This comment will be considered for preparation of the Delta Plan

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 1-2, L 11: Use of the term "islands" is misleading. The document should either include or footnote a description about subsided lands and the resulting "subsided depressions surrounded by channels" where levees are actually dams holding back water and protecting people and property behind them, 24/7/365.	This comment will be considered for preparation of the Delta Plan
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 1-2, L 33-35: This section inappropriately omits the impact of other stressors (invasive species, pollution, predation, etc.), which have increasingly come into focus as primary drivers negatively impacting species of concern in the Delta, and which have had the greatest impact on the "Delta and its sustainability." In addition, there is no mention of the dramatic alteration of the Delta's geometry over the last 150 years. The Delta has been all but completely channelized and most every natural watercourse has been modified, resulting in a loss of 95% of all wetland habitat, which certainly has had and continues to have a major impact on the Delta's sustainability. Moreover, the impact of past and current actions in the Delta on its sustainability must be acknowledged too, including land conversion, agricultural water use and runoff, unscreened diversions, etc. While the DP's statement about agricultural and urban "use patterns" (a term which is undefined, but needs to be) and actions "outside the Delta" being a significant factor impacting "the Delta and its sustainability" is valid, it is too simplistic to assert they "have perhaps the greatest impact". The current language perpetuates a mythology that diverts attention from and is not reflective of a more comprehensive approach that should be at the core of the DP.	This comment will be considered for preparation of the Delta Plan
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 1-2, L 36-37: The statement that "Water management practices across the state affect demand on water supplies conveyed through the Delta" is overly broad as a stand-alone assertion. Substitute "within the Delta watershed and in the export service areas" for "across the state".	This comment will be considered for preparation of the Delta Plan
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 1-3,1-4: This bullet should also note that 95-98% of the biomass in the Delta is non-native.	This comment will be considered for preparation of the Delta Plan

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 1-3, 11-12: Again, it is important to segregate the numbers to reflect the dramatic difference between the primary and secondary zones. The former supports something like 6,000-8,000 jobs and much less acreage that is utilized for non-pasture agriculture. Not including these specifics gives a false impression to the reader of the potential impacts of various actions within "the Delta" since most impacts will occur in the primary zone where there are many fewer people, jobs, acres of non-pasture agricultural lands, etc. This is not to say that such impacts in the primary zone should be discounted, but rather that the DP should present a more precise rendering so they can be better acknowledged, understood and addressed.	This comment will be considered for preparation of the Delta Plan
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 1-4, L 3: "failure" of what? This is too opaque.	This comment will be considered for preparation of the Delta Plan
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 1-4, L 7-11: This sentence needs to be reworked as it is awkward and suffers from an apples and oranges problem. "Water supplies and ecosystem health" are not of the same category as levee investment and the capacity of the Delta economy in their ability to "counter" various risks in the Delta.	This comment will be considered for preparation of the Delta Plan
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 1-4, L 14: Because the seismic risk also imperils water conveyance in the Delta, "water supplies" should be added to the list of what is threatened (i.e. "residents, visitors, agriculture, water supplies and the ecosystem"). Although this is called out in the bullets subsequent to this sentence, it is important to include It in both places as are the other interests.	This comment will be considered for preparation of the Delta Plan
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 1-6, L 3-5: No government can make it rain or snow and including this statement implies there is an unmet expectation of that by some. The statement should either be deleted or revised along the lines of the following: "The limitations of current infrastructure capabilities, in combination with the nature and timing of water demands, both current and future, make it all but impossible to reliably and affordably meet all demands at all times." And while not necessary to address in this particular section, the DP needs to emphasize, as it notes in some instances already, that investment in infrastructure can improve water supply reliability and long term sustainability of water supplies, while enhancing operational flexibility that will also contribute to ecosystem recovery and restoration.	This comment will be considered for preparation of the Delta Plan

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 1-6, L 11-17: Because the first part of this sentence, "to plan for regionally sustainable water supplies to meet reasonable water demands for all beneficial uses", is not within the purview of the DP, we suggest putting a period (".") after "beneficial uses". Begin the next sentence with, "The Delta Plan is intended to help implement.. ..", and delete the last sentence since the point is made by having moved the phrase to the beginning of the second sentence. It would also better reflect the breadth of the Act's charge to the Council and its direction regarding the content of the DP in section 85020 to include a reference to improvements to "the water conveyance system and expand statewide water storage" in the second sentence.	This comment will be considered for preparation of the Delta Plan
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 1-6, L 15-16: substitute "for" for "an" and add "consistent with the coequal goals" at the end of the sentence.	This comment will be considered for preparation of the Delta Plan
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 2-1, L 4-5: The DP should only be addressing policies "inherent" to management of the Delta (i.e. those identified in section 85020 of the Act) and those defined by the Act's specific direction regarding DP content (section 85300 et. seq.), not "all" policies or "objectives" identified in the Act, which this sentence implies is the intent. The DP must stay within the limits the Legislature defined in the Act.	This comment will be considered for preparation of the Delta Plan
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 2-1, L 7: Substitute "covered actions" for "projects".	This comment will be considered for preparation of the Delta Plan
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 2-1, L 9-11: Substitute "Contributing to" or "Furthering" for "Meeting" at the beginning of the sentence. Also, insert ("covered actions") between "projects" and "that" to clearly reflect the fact that it is only "covered actions" that are subject to ultimate consistency determinations by the Council. In addition, it may be useful to also refer to the statutory definition of "covered actions" per section 85057.5: (1) occurs in whole or part in the Delta or Suisun Marsh, (2) will be carried out, approved, or funded by the state or a local public agency; (3) is covered by one or more provisions of the Delta Plan and (4) will have a significant impact on the achievement of one or both of the coequal goals or the implementation of a government-sponsored flood control programs to reduce risks to people, property, and state interests in the Delta.	This comment will be considered for preparation of the Delta Plan

Matrix 2 Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)

Association	Date	Comment	Status of Comment
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 2-1, L 17: The reference to section 85021 as partly defining objectives of DP is inappropriate and it should be deleted. Section 85021 is a discrete and separate policy statement by the Legislature that is not "inherent" to, or directed to be included in, the DP; nor does it confer any authority upon the Council. [It is telling that at page 3-1, L 17 the "inherent objectives" listed are only those appropriately gleaned from section 85020, without any mention of section 85021.1	This comment will be considered for preparation of the Delta Plan
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 2-2, L 11-16: Delete the quotation of section 85021.	This comment will be considered for preparation of the Delta Plan
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 2-2, L 35: The Council will not be "implementing" all of the DP, various other entities, including local governments proposing "covered actions" will be "implementing" the DP. The Council is to develop the DP and "implement" only those components within its purview and which are not within the purview of other existing agencies or processes. As noted in the subsequent sentence, the DP will provide "guidance" and it is more appropriate to state that the Council will implement portions of the DP and "will assist in guiding state and local agency actions related to the Delta" (section 85300(a)) consistent with the DP. While the DP will provide recommended guidance with regard to enforcement efforts across state agencies, actual enforcement is left to existing agencies under their existing authorities and discretion.	This comment will be considered for preparation of the Delta Plan
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 2-2, L 35-37: This discussion of the Council's authority regarding "covered actions" is pertinent to the "use" of the DP, but it isn't really relevant to a discussion of the "geographic scope" of the DP. While "covered actions" essentially delineate the limits of the Council's authority with regard to "legally enforcing" consistency with the DP, the discussion of the primary and secondary planning areas is relevant to the actual geographic scope of the DP itself. These are distinct issues that should be more clearly differentiated.	This comment will be considered for preparation of the Delta Plan

Matrix 2 Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)

Association	Date	Comment	Status of Comment
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 2-4, L 10-13: The DP includes the SWRCB's Delta flow criteria report and DFG's flow criteria and biological objective report as "other plans" the Council will consider during preparation of the DP. This, of course, was the intent of the legislation, although we again request a clear statement from the Council, in the next iteration of the DP perhaps, as to how it expects to "use" these reports and its perspective on issues related to river flows in the DP. We also feel compelled to remind the Council of the limited utility of these reports in that, as particularly caveated in the SWRCB report, both were prepared with a very narrow focus; namely, (1) looking at flow only, (2) ignoring the impact of other stressors, (3) assuming current conditions in the Delta and ignoring planned infrastructure and habitat improvements in the BDCP and other plans and, (4) there was no regard given to impacts on other beneficial uses. Consequently, it is clearly evident that the flow criteria developed in these reports ignore one of the two coequal goals, i.e. "a more reliable water supply for California." Moreover, these reports were developed in truncated processes that did not allow for rigorous debate over the merits of the criteria or the science underlying them. While at least the SWRCB held three days of "hearings", DFG developed its report behind closed doors with little public input whatsoever. Finally, in any proceedings considering the use of such flow criteria, a much broader array of interests must be considered before any determination of the appropriate criteria can be finalized.	This comment will be considered for preparation of the Delta Plan
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 2-4, L 24: Unlike the requirements set forth in section 85320, section 85321 represents a separate and distinct requirement the Legislature established for the BDCP but it is not an express requirement for consideration or incorporation of the BDCP into the DP and reference to it in this sentence should be deleted.	This comment will be considered for preparation of the Delta Plan
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 2-4, L 26-27: Contrary to how this sentence is written, it is not for the Council to determine whether the BDCP has satisfied the requirements set forth in section 85320. That job was expressly delegated to the DFG by the Legislature. The Council is only to determine if DFG's certification of BDCP's satisfaction of the statutory requirements was reasonable, if, and only if, that certification is appealed to the Council.	This comment will be considered for preparation of the Delta Plan
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 3-1, L 3: Add "and recommend" after "provide" as many of the components of the DP will involve choices by other entities. Only with respect to "covered actions" will discretion be limited.	This comment will be considered for preparation of the Delta Plan

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 3-3, L 10: The notion of using "anecdotal evidence" as potentially determinative of or contributing to the "best available science" is unacceptable and the term should be deleted. While anecdotal "evidence" may be relevant to an investigation and reflect the "best available information", it should in no way be equated with "science".	This comment will be considered for preparation of the Delta Plan
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 3-3, L 17: By the express language of the Act, section 85021 does not help "define" the coequal goals, and the citation to it should be deleted.	This comment will be considered for preparation of the Delta Plan
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 5-1, L 3: It's the "Bay Delta Conservation Plan" not "Program".	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 5-1, L 8: While it is true the water supply is "finite" (a statement that applies to water globally), the amount available to California can vary greatly from year-to-year -- from flood to drought and everything in between. This statement is essentially meaningless in the context of modern water management and should be deleted.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 5-1, L 8-9: It is not the water right system that has led to unsustainability; it is competition for water supplies that now includes an overlay of environmental demands that weren't contemplated when the state's backbone water system was developed. California confronts primarily a management problem, combined with an infrastructure deficit, rather than a lack of water.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 5-1, L 10: The notion that there is a "growing need to restore adequate water supplies to protect the state's environmental resources" neglects the incredible redistribution of water that has already occurred to meet environmental regulatory demands. The need is far from simply throwing more water at the problem, as this statement implies, but rather to reassess the efficacy of that long applied strategy in the context of increasingly competing demands to serve all beneficial uses and improved ecological understanding of other stressors on the system. Consequently, we suggest deleting "growing" and substituting "provide" for "restore".	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 5-1, L 11: the "trajectory of water conflicts" is actually more than sustainable, were trying to get out of them, so this should be rewritten. Perhaps replace the last clause with "we find ourselves in a circumstance of unsustainable gridlock."	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 5-1, L 21-22: Improving the Delta ecosystem is not a "necessary condition" for improving the water supply system for California, which is not limited to Delta related infrastructure. It would be more accurate to say that, pursuant to environmental laws, Delta ecosystem improvements are a requisite component of moving ahead with restoring the reliability and volume of export and other water supplies dependent on the Delta watershed.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 5-1, L 27-30: Businesses have and do make decisions every day based upon data of dubious quality from many sources, or even based upon no data. The sentence should be revised simply to make the point that water information quality can be improved.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 5-1, L 34: Is water supply "resiliency" the same as "reliability"? Why introduce this term and what does it mean, especially in the context of the DP?	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 5-2, under "Other objectives": Why are the reasonable use and public trust doctrines "particularly applicable" to the Delta watershed and areas that use "Delta" water? These doctrines are equally applicable to all water use in the state. We suggest substituting ", as they are to all waters of the state," for "are particularly". In addition, here and elsewhere in the document, the notion that "Delta water" is used outside of the Delta proper is incorrect. Water that is exported by the SWP/CVP is diverted in the Sierra and conveyed to and through the Delta.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 5-3, L 13-17: The statement "California regularly uses more water annually than is provided by nature" should be revised to read "The natural availability of water does not provide sufficient quantities in all places at all times that allow for all consumptive or environmental needs to be met. Deterioration in the ability to transfer water in times and places of surplus to other places and at other times of deficit, have contributed to unsustainable groundwater use in some areas of the state." As a reminder, this is a problem of infrastructure and management, not of water supply per se as nature provides California with more than adequate precipitation: Total supply (precipitation + imports); wet year = 335.8 MAF, average year = 194.2 MAF, dry year = 145.5 MAF; while dedicated supplies in a wet year = 97.5 MAF, average year = 82.5 MAF, dry year = 65.1 MAF.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 5-3, L 21: typo, delete "to the"	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 5-3, L 24: typo, "assumptions" not "assumption" and "demand" not "demands".	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 5-3, L 25: The word "wrong" should be replaced with "have become outdated".	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 5-3, L 26: insert "current" or "existing" before "water supply and storage system". It would be beneficial to also add the fact that our management capacity (including particularly the lack of flexibility in the applicable regulatory regime today and which will grow in the future since it is unable to adapt to reflect the reality of climate change) isn't currently adequate either.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 5-3, L 35: As stated in the Constitution, insert "to the fullest extent of which they are capable" after "purposes".	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 5-3, L 37: The Public Trust Doctrine is not based in the Constitution and it is incorrect to describe it as such. It is a common law doctrine adopted through the courts, with lineage back to the canals of England which were all owned by the realm but which the people were allowed to use as they were held in "trust" for them by the King/Queen. The word "constitutional" should be deleted.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 5-3, L 36-39: There is no absolute connection between preventing waste and allowing "the natural environment to be protected." This sentence should be rewritten. Perhaps, instead of "will increase water reliability and allow the natural environment to be protected", we suggest "may increase water supply reliability in some areas and could provide additional flexibility to better protect the natural environment."	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 5-3, L 40: typo, delete "the use"	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 5-4, L 3-12: While we do not disagree with the finding/discussion of investments in regional self-reliance included here, we do not understand why it is included and suggest it should be deleted as this subject matter is beyond the scope of the DP. In addition, linking the benefits of any such investments back to furthering the achievement of the coequal goals in the Delta is dubious.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 5-4, L 13-14: Delete "SURFACE AND" and insert "UNMANAGED" between "IF" and "GROUNDWATER". Not all surface supplies are connected to groundwater and as written this finding is much too broad.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 5-4, L 20: insert "unmanaged" before "overdraft".	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 5-4, L 21.5: We suggest the "Promote a More Reliable Water Supply" section is deficient because it does not include a finding that the identification and elimination of illegal Delta diversions is necessary to further achievement of the coequal goals. This omission is glaring for several reasons. First, The DP asserts California suffers from groundwater overdraft and the Council Chairman and Executive Officer have repeatedly stated that the water system generally is "oversubscribed". Illegal diversions should not be tolerated considering this overburdened state of affairs. Second, the DP identifies the need for more information regarding the supply and demand of water. Eliminating illegal diversions would help resolve uncertainty regarding water use in the Delta. Third, the State Water Resources Control Board has concluded the "number and magnitude of illegal diversions" in the Delta "could be quite significant." Fourth, eliminating illegal use must be prioritized over regulation and curtailment of legal water uses.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 5-4, L 29: Ag water "use" is incorrect in that what's being described is probably "applied water". This needs to be checked, and if it is "applied water" that should noted and defined.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)

Association	Date	Comment	Status of Comment
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 5-4, L 37-38: The assertion that "The per capita use of water in urban areas of California has remained essentially the same for the past 40 years" does not appear to be accurate. The reference cited Bulletin 166-94, which contains data up to 1990, does show per capita relatively unchanged in the 1970's and 1980's. However, none of the cited references have data from 1990 to 2010. The cited reference to the 20x2020 Water Conservation Plan makes no such assertion and the data in the report for 1995-2005 does not seem to support the stated assertion. More recent versions of Bulletin 166 do not support this statement either. Indeed, there is no question that some areas of the state have achieved significant urban residential conservation on a per capita basis and this should be acknowledged.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 5-5, L 5-6: The statement that "DWR has identified the potential need to develop over 3.8 to 9.6 million acre-feet of new water supplies over the next twenty years ... " "(based upon information included in the DWR Water Plan, 2005)" seems inconsistent with the citations and we suggest the statement be doublechecked. Our read of the range in Water Plan 2005 is 0 to 4 MAF from the least to the highest demand scenario. Even if one adds 2 MAF for groundwater overdraft, the range would be 2 to 6 MAF. DWR has subsequently refined its analysis and taken climate change into account for its Water Plan 2009. We urge the use of the data from the 2009 Water Plan rather than that from the 2005 version.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 5-5, L 28: typo, "has" for "have".	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 5-5, L 26-37: This "finding" needs to better reflect that most of this reduction in reliability has been a consequence of Endangered Species Act (ESA) regulation, as well as contracting and O & M problems within the State Water Project. Moreover, it is expected that implementation of the BDCP will increase these reliability figures significantly and that should be acknowledged as well. Climate change will still be a problem, but investment in new facilities and improved conjunctive use programs would help ameliorate the impacts.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 5-5, L 41-44: This sentence is garbled and confusing and needs to be rewritten.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 5-5, L 44-45: This statement is unfortunately largely incorrect since it fails to recognize the impact of the imposition of restrictions under the ESA. Prior to recent regulatory constraints there was an ability to move water to available storage south of the Delta - e.g. Diamond Valley Reservoir and the Kern Water Bank. Today, these storage investments have been largely stranded by the inability to move large volumes of water in wet years and during wet periods of normal years. Conveyance limitations are now more critical to address in order of priority than storage to re-establish the benefits of these stranded assets. Long term, if conveyance is addressed, additional storage will be necessary to meet co-equal goals.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 5-6, L 7: Substitute "environments" for "ecology".	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 5-6, L 28: The findings under this section identify an apparent inability to sum up local water use data to give an accurate picture of statewide water use and trends. However, the findings should be revised to better address the assessment required by section 85211(b) which is to assess the reliability of supply imported from the Delta, which would consist of a subset of statewide water supplies and use trends.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 5-6, L 42: typo, "available" not "avaiaible".	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 5-7, L 12: Substitute "protocols" for "requirements".	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 5-7, L 21: Including "Future Water Supply Contracts" on this list of categories subject to the development of policies and recommendations should be deleted as the Council has no authority to reach into that arena.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 6-1, L 4: BDCP is a "Plan" not a "Program".	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 6-1, L 10-11: The Delta ecosystem is not "in peril". In many ways it is a vibrant ecosystem with many species expanding and it now supports a multi-million tournament bass industry which did not exist twenty years ago. It's just not supporting the species we want it to support, particularly native species and those of concern because of environmental regulations such as the ESA. This vibrant ecosystem is still evolving and unless action is taken, it will evolve further away from that favored by law.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 6-1, L 14: should add "for native species" after "healthy ecosystem".	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 6-1, L 17: states that "the Delta ecosystem is now on a trajectory of change that cannot be completely reversed ... " This is not a recent phenomena, the irreversible trajectory began with the "reclamation of swampland" over 150 years ago, and mining, etc. We suggest substituting "has been" for "is now" and inserting "for over a century" between "change" and "that".	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 6-1, L 19: add at the end of the sentence, "with regard to preferred native species and desired ecosystem functions."	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 6-1, L 30: we suggest inserting "the need for continuing and" prior to "substantial".	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 6-3, L 18.5: A finding should be added based on the PPIC Envisioning Delta Futures report Appendix A regarding the need for a "new paradigm" of ecosystem assessment and response, while developing an improved understanding of what was "wrong" about previous restoration efforts. Another pertinent finding to add would be one acknowledging the inherent uncertainty in pursuing ecosystem restoration and the uncertainty of the science upon which it is based.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 6-4 L 41-43: This assertion is subject to significant scientific debate. A metric needs to be created to measure variability and it needs to be demonstrated that it has, in fact, demonstrably changed. Moyle et. al., 2010, assert that reductions in variability of flow are a major cause of the pelagic fish decline. However, Moyle et. al. do not define variability; nor have they presented any analysis demonstrating that variability of flow has changed between the period when pelagic fish abundance was relatively high and now. Furthermore, Enright and Culberson, 2010, report no change in flow variability during the era of water project development. We suggest either deleting this sentence, or at least adding language identifying the scientific debate.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 6-6, L 7: This section on the reduction of threats and stressors is much too narrow, with the introduction of non-native species and entrainment as the only two system stressors identified as affecting the Delta ecosystem. The Delta ecosystem is far more complex and consists of stressors including, but not limited to, water temperature, tidal influences, sedimentation, channelization, predation, hatchery impacts, illegal harvest, nutrient ratios, subsidence, habitat loss, food web, and sea level rise. We urge that this section be supplemented. Although the stressors that affect the Delta ecosystem are varied and complex, the DP must include a comprehensive assessment and analysis of all stressors and their impact on the ecosystem.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 6-6, L 8-12: Should add "95-98% of biomass in the Delta is non-native" in this description.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)

Association	Date	Comment	Status of Comment
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 6-6, L 13-14: With regard to entrainment at the SWP/CVP facilities, this finding is in scientific dispute, particularly with regard to alleged population level effects. There are no studies that show statistically significant relationships between various measures of entrainment and subsequent spawning abundance. Furthermore, two recent life cycle models failed to find statistically significant effects of proportional entrainment over the one-year life cycle of delta smelt. The distribution of longfin smelt is centered in downstream areas so that the fraction of the population susceptible to entrainment is very small, approaching 0.0%. Two factors make the effects of entrainment of delta smelt on subsequent spawning abundance statistically insignificant: (1) Density dependence acts at higher levels of abundance to mute entrainment effects, and (2) the variation in other important factors, most notably food, are so large relative to entrainment effects that entrainment effects cannot be detected. This finding needs to at least add some narrative explaining the nuances of the entrainment issue.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 6-6, L 29-31: New flow standards must be designed to achieve both prongs of the coequal goals not just ecosystem restoration. Indeed, it is expected that the BDCP will result in new flow standards serving both prongs of the coequal goals. It is inappropriate and sadly ironic that the DP cited to the SWRCB 2010 flow criteria report as the basis of asserting a need for more flow to meet the ecosystem restoration objectives (as yet to be determined) of the coequal goal when by its own admission the SWRCB completely ignored any aspect of the water supply reliability component of the coequal goals in developing its report and subsequent analysis of the developed criteria have been shown to completely crash the water management system, emptying reservoirs to the devastation of the state's economy, the significant loss of clean hydropower generation, and to the detriment of salmonid resources due to lack of cold water resources in dryer years driven by the flow object.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 8-1, L 15: there should be a footnote to use of the term "islands" since so many are really subsided depressions surrounded by channels rather than islands in the conventional sense.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 8-1, L 16-17: Threats should also include increased peak flows as a result of climate change and altered hydrology, including more rain than precipitation being locked up in snowpack for release over longer period.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 8-1, L 21: should add threat to water system from salt water intrusion etc., and it should be "4" million acres rather than "3".	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 8-1, I 23: should add threat to ecosystem values as well from levee failure, including previous, current and probably future investments in habitat that already do or will rely on levees too.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 8-3, I29: "PROCESS" for "PORCESS"	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 8-4, I12: To meet an explicit charge from the legislature, there should be a finding which identifies the lack of an existing strategic levee investment plan that identifies and prioritizes necessary improvements, including the consideration of habitat restoration opportunities. There should be an additional finding that these strategic investments in levee improvements must be commensurate with benefits achieved. Further, there should be another finding, as the legislature has concluded, that not all islands are economically sustainable with respect to the high cost of levee maintenance or reclamation after a breach; e.g. "THE VALUE OF LANDS BEHIND LEVEES OFTEN DO NOT SUPPORT (OR JUSTIFY) THE COST OF LEVEE MAINTENANCE AT EVEN MINIMAL SAFETY STANDARDS AND WHERE THEY DO, OFTEN THE ABILITY OF LOCAL RESIDENTS TO FUND SUCH MAINTENANCE IS WANTING"	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 8-4, I 40: This finding should be specifically tied to California by mentioning the Delta or California as well as the "nation".	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 8-5, I30 & 38: These two findings are redundant in many respects and should be rewritten to eliminate that redundancy.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 8-6, l8: substitute "upstream of" for "connected to"	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 8-6, l 35-36: Here the numbers are 23 million people and 7 million acres of agriculture. Earlier it was 25 million people and 3 million acres of agriculture. Whatever the numbers are, the document should be consistent.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 8-7, l 27: We suggest adding the following to the list of "Working Categories of Potential Policies and Recommendations" for risk reduction; "Study of potential freshwater pathway as response to major levee failure prior to new conveyance coming on-line".	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 9-1, l13: insert "the" before "San Francisco Bay Area".	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 9-1, l18: add at end of sentence, "consistent with furthering achievement of the coequal goals."	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 9-3, l 11: Would add "recreational activities" (hunting, birding, fishing, boating, etc.) as helping to "define" the Delta's unique "culture".	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 9-3, l16: The Delta is not the "source" of export water supplies; it is the "source" of water used in the Delta itself. This is an important distinction that cannot be ignored.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 9-5, L 25-26: This statement implies that in-Delta agriculture is more economically productive than areas that use or rely on water from the Delta watershed. The DP should provide a table that demonstrates consistently calculated economic values of agriculture of upstream, in-Delta and export areas to inform the Council and the public regarding relative agricultural values. This table should also include the average applied and consumptive water amounts used in each region.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 9-5, L 38: actually subsidence has reached as deep as 30 feet in some areas of the Delta, so we suggest substituting "30" for "25".	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	2/14/2011	First Staff Draft Delta Plan: 9-7, L 19: possible typo, missing space between "subsidence" "and"?	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: We ask that you review these principles and consider developing your own to give your staff and consultants guidance on developing the Plan. 1. Create lasting statewide value, such as recommendations for infrastructure and environmental investments in accordance with Section 35302 of the Water Code that will support ecosystem improvement and water supply sufficiency and reliability consistent with the co-equal goals.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: We ask that you review these principles and consider developing your own to give your staff and consultants guidance on developing the Plan. 2. Recognize fiscal constraints and promote investment that prioritizes stability and economic growth. A more sufficient and reliable water supply is foundational. If public costs increases, so should tangible improvements in the environment and water supply. Total and regional economic burdens on the public must be carefully assessed.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: We ask that you review these principles and consider developing your own to give your staff and consultants guidance on developing the Plan. 3. Stay within the delineated legal authorities specified in the Delta Reform Act of 2009. Expanding the Council's scope will undermine its ability to achieve important accomplishments that are within its reach.	This comment will be considered for preparation of the Delta Plan and EIR

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: We ask that you review these principles and consider developing your own to give your staff and consultants guidance on developing the Plan. 4. Do not expect the first Plan to resolve all issues affecting the Delta or address all management concerns that intersect with Delta issues. The 5-year updates to the Plan should build on the success of a solid first effort to further the co-equal goals and assess local actions aiding the co-equal goals. Let's not let "perfect" be the enemy of "good".	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: We ask that you review these principles and consider developing your own to give your staff and consultants guidance on developing the Plan. 5. In identifying issues outside the Delta that must be addressed for a successful Delta Plan, promote local responsibility and accountability. The Council has limited outside the Delta, and should avoid sounding paternalistic or dictatorial to locally elected government. Avoid broad prescriptions that don't account for local differences.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: We ask that you review these principles and consider developing your own to give your staff and consultants guidance on developing the Plan. 6. Create a system for measuring progress on the recommended actions that is consistent with the regular review and revision process of the Plan.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: We ask that you review these principles and consider developing your own to give your staff and consultants guidance on developing the Plan.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: a) Manage the Delta's water and environmental resources and the water resources of the state over the long term. Facilitate construction and operation of an isolated conveyance facility of 15,000 cfs capacity from the Sacramento River to South Delta pumping facilities. While water rights are the jurisdiction of the SWRCB, the Council should recommend plans that assure that sufficient water is transported by the facility to restore long term average export supply and be financially feasible.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: a) Manage the Delta's water and environmental resources and the water resources of the state over the long term. The SWRCB must assure that all Delta diversions occur consistent with verified water rights.	This comment will be considered for preparation of the Delta Plan and EIR

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: a) Manage the Delta's water and environmental resources and the water resources of the state over the long term. Recognize SWRCB jurisdiction over flow measures and recommend that in balancing economic and environmental uses of water in support of flow decisions, the SWRCB must recognize the water rights priority system, area of origin rights, minimization of impacts to hydropower production, and economic reliance on water license decisions to date. Recommend that water users be compensated from general public sources, when such use is adversely impacted by flow regulation.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: a) Manage the Delta's water and environmental resources and the water resources of the state over the long term. Promote the development of additional surface water and groundwater storage to provide for improved flows and water supply reliability.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: a) Manage the Delta's water and environmental resources and the water resources of the state over the long term. Recommend the SWRCB and USGS develop a real-time diversion data telemetry system linked to water diversion permits to assure only legal diversion of water.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: a) Manage the Delta's water and environmental resources and the water resources of the state over the long term. Make recommendations to streamline and reduce regulatory burdens for water transfers.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: a) Manage the Delta's water and environmental resources and the water resources of the state over the long term. Recommend the SWRCB combine the place of use for Central Valley and State Water Projects with appropriate third party protections.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: a) Manage the Delta's water and environmental resources and the water resources of the state over the long term. Recommend programs to provide incentives for increased water conservation, wastewater recycling, groundwater recharge, and desalination.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: a) Manage the Delta's water and environmental resources and the water resources of the state over the long term. Support regional plans to develop additional local water resources and advance self-sufficiency.	This comment will be considered for preparation of the Delta Plan and EIR

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: a) Manage the Delta's water and environmental resources and the water resources of the state over the long term. An isolated facility will predominantly eliminate reverse flows in Old and Middle river, effectively ending entrainment of San Joaquin Valley salmonids, and insulate the California economy from virtually certain catastrophic failure of Delta levees. Improving the water quality of exports will allow greater use of recycled water, supporting efforts to reduce reliance on future water supplies coming from water transported through the Delta.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: a) Manage the Delta's water and environmental resources and the water resources of the state over the long term. Better collection and management of water diversion data compared against water rights permits will reduce illegal diversion of water.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: a) Manage the Delta's water and environmental resources and the water resources of the state over the long term. Increasing water transfers will allow for improved water supply reliability without increased net water diversions.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: a) Manage the Delta's water and environmental resources and the water resources of the state over the long term. Combining the place of use for the CVP and SWP will allow for increased water transfer opportunities.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: a) Manage the Delta's water and environmental resources and the water resources of the state over the long term. Incentives for alternative resources can improve the economics of alternative resource development through local water resource plans.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: b) Protect and enhance the unique cultural, recreational and agricultural values of the California Delta as an evolving place: 1. Recommend the preparation of a strategic levee investment plan recognizing sea-level rise, relative levee vulnerability, critical infrastructure, high value agriculture and dense settlement. Make recommendations for the prioritization of levee investments. Promote the conversion of deeply subsided islands to peat restoration/carbon sequestration wetlands and/or allow for strategic abandonment of selected islands.	This comment will be considered for preparation of the Delta Plan and EIR

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: b) Protect and enhance the unique cultural, recreational and agricultural values of the California Delta as an evolving place: 2. Coordinate jurisdictional agencies to improve levee failure emergency response capability, integrated with long-term strategic levee investment plan.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: b) Protect and enhance the unique cultural, recreational and agricultural values of the California Delta as an evolving place: 3. Coordinate jurisdictional agencies to integrate habitat restoration actions with expanded recreational uses. Levee rehabilitation should be focused on long-term sustainable uses and improve public access recreational opportunities.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: b) Protect and enhance the unique cultural, recreational and agricultural values of the California Delta as an evolving place: 4. Provide for coordination of in-Delta flood control and levee investments with the Central Valley Flood Control Plan	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: b) Protect and enhance the unique cultural, recreational and agricultural values of the California Delta as an evolving place: The Delta Plan should recognize that sea level rise is occurring and will continue to occur, and will fundamentally change the geography of the Delta, eventually reclaiming deeply subsided islands...Improvement of levees should only occur where local land use values and investment can support the investment without public subsidy. Levee failure response planning should be based on the long term view of the strategic investment plan.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: c) Restore the Delta ecosystem, including its fisheries and wildlife, as the heart of a healthy estuary and wetland ecosystem: 1. Promote removal of excess nutrients and correction of nutrient imbalances through nutrient removal from the Sacramento County Regional Sanitation District wastewater treatment plant effluent and other municipal wastewater plants in the Delta watershed adversely affecting ammonia levels in the Delta.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: c) Restore the Delta ecosystem, including its fisheries and wildlife, as the heart of a healthy estuary and wetland ecosystem: 2. Coordinate jurisdictional agencies to provide for restoration of 20,000-80,000 acres of restored tidal and seasonal floodplain habitat.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: c) Restore the Delta ecosystem, including its fisheries and wildlife, as the heart of a healthy estuary and wetland ecosystem: 3. Coordinate Delta Plan ecosystem measures with upstream restoration programs in the Sacramento and San Joaquin Valleys.	This comment will be considered for preparation of the Delta Plan and EIR

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: c) Restore the Delta ecosystem, including its fisheries and wildlife, as the heart of a healthy estuary and wetland ecosystem: 4. Based on life-cycle modeling studies, work with the fish agencies and stakeholders to address key factors limiting native fishery production and health.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: c) Restore the Delta ecosystem, including its fisheries and wildlife, as the heart of a healthy estuary and wetland ecosystem: 5. Provide for a mark-select salmon fishery to allow for healthy commercial salmon fishery and healthy native salmon survival.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: c) Restore the Delta ecosystem, including its fisheries and wildlife, as the heart of a healthy estuary and wetland ecosystem: 6. Coordinate jurisdictional agencies to develop plans and implement actions to restore and enhance native fish species and reduce or extirpate non-native fish species, to the extent possible.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: c) Restore the Delta ecosystem, including its fisheries and wildlife, as the heart of a healthy estuary and wetland ecosystem: Life cycle models of individual species should be compared to discern patterns of important common ecosystem stressors for prioritized action.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: d) Promote statewide water conservation, water use efficiency and sustainable water use: 1. Provide incentives for increased water conservation, wastewater recycling, groundwater recharge and desalination.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: d) Promote statewide water conservation, water use efficiency and sustainable water use: 2. Recommend the SWRCB and water purveyors focus water conservation incentives on water savings otherwise lost to reuse, e.g., discharges to salt-sinks.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: d) Promote statewide water conservation, water use efficiency and sustainable water use: 3. Integrate current DWR 20-2020 water conservation program into the Delta Plan.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: d) Promote statewide water conservation, water use efficiency and sustainable water use: 4. Integrate recommendations of the forthcoming Technical Report on Efficient Water Management for Regional Sustainability in the Sacramento Valley into the Delta Plan.	This comment will be considered for preparation of the Delta Plan and EIR

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: d) Promote statewide water conservation, water use efficiency and sustainable water use: The Delta Plan should build upon and support existing state policy to achieve the goals of the recent 2009 water legislative package by supporting efforts that develop local water resources and allow for reduced reliance on water transported through the Delta. Such incentives must be targeted where real basin-wide water savings are achieved.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: e) Improve water quality to protect human health and the environment consistent with achieving water quality objectives in the Delta: 1. Facilitate construction and operation of an isolated conveyance facility of 15,000 cfs capacity from the Sacramento River to South Delta pumping facilities. While water rights are the jurisdiction of the SWRCB, the Council should recommend plans that assure that sufficient water is transported by the facility to restore long term average export supply and be financially feasible.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: e) Improve water quality to protect human health and the environment consistent with achieving water quality objectives in the Delta: 2. Promote removal of excess nutrients and correction of nutrient imbalances though nutrient removal from the Sacramento County Regional Sanitation District wastewater treatment plant effluent and at other municipal wastewater plants in the Delta watershed adversely affecting ammonia levels in the Delta.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: e) Improve water quality to protect human health and the environment consistent with achieving water quality objectives in the Delta: 3. Coordinate jurisdictional agencies to continue monitoring fish for acute and chronic toxicity and effect controlling of significant toxicant sources.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: e) Improve water quality to protect human health and the environment consistent with achieving water quality objectives in the Delta: The single greatest measure that would improve drinking water statewide is the construction of an isolated facility to insulate public drinking water supplies from constituents that create difficult and expensive water treatment problems.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: e) Improve water quality to protect human health and the environment consistent with achieving water quality objectives in the Delta: Reduction of ammonium from wastewater discharge is fundamental to restoring an ecological system that supports pelagic fish. Further work is necessary to assure other sources of toxicity do not impair ecosystem restoration in the Delta.	This comment will be considered for preparation of the Delta Plan and EIR

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: f) Improve the water conveyance system and expand statewide water storage: 1. Facilitate construction and operation of an isolated conveyance facility of 15,000 cfs capacity from the Sacramento River to South Delta pumping facilities. While water rights are the jurisdiction of the SWRCB, the Council should recommend plans that assure that sufficient water is transported by the facility to restore long term average export supply and be financially feasible.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: f) Improve the water conveyance system and expand statewide water storage: 2. Support development of local partnerships among the State, USBR and local entities to evaluate and develop appropriate surface and groundwater storage investments.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: f) Improve the water conveyance system and expand statewide water storage: An isolated facility and increased statewide storage are necessary to reduce impacts of water diversion on environmental uses of water and provide for additional management capability for and increased amounts of environmental water flow.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: g) Reduce risks to people, property and state interests in the Delta by effective emergency preparedness, appropriate land uses and investments in flood protection: 1. Facilitate construction and operation of an isolated conveyance facility of 15,000 cfs capacity from the Sacramento River to South Delta pumping facilities. While water rights are the jurisdiction of the SWRCB, the Council should recommend plans that assure that sufficient water is transported by the facility to restore long term average export supply and be financially feasible.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: g) Reduce risks to people, property and state interests in the Delta by effective emergency preparedness, appropriate land uses and investments in flood protection: 2. Coordinate jurisdictional agencies to prepare a strategic levee investment plan recognizing sea-level rise, relative levee vulnerability, critical infrastructure, high value agriculture, and dense settlement. Recommend prioritized levee investment and conversion of deeply subsided islands to peat restoration/carbon sequestration wetlands and/or allow for strategic abandonment of selected islands.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: g) Reduce risks to people, property and state interests in the Delta by effective emergency preparedness, appropriate land uses and investments in flood protection: 3. Coordinate jurisdictional agencies to improve levee failure emergency response capability, integrated with long-term strategic levee investment plan.	This comment will be considered for preparation of the Delta Plan and EIR

Matrix 2 Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)

Association	Date	Comment	Status of Comment
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: g) Reduce risks to people, property and state interests in the Delta by effective emergency preparedness, appropriate land uses and investments in flood protection: Over two-thirds of the California economy relies on water transported through the Delta. Insulating this economy from the effects of inevitable catastrophic levee failure is paramount.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: g) Reduce risks to people, property and state interests in the Delta by effective emergency preparedness, appropriate land uses and investments in flood protection: An integrated strategic levee investment, flood control, habitat restoration, and economic development plan needs to recognize the inexorably evolving nature of the Delta landscape that will not allow for current land uses to be sustained.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: Establish a new governance structure with the authority, responsibility, accountability, scientific support and adequate and secure funding to achieve these objectives: 1. Through the Sacramento-San Joaquin Delta Reform Act, the Legislature took the first steps in modifying the Governance Structure for the Delta. The Council should explain its expectations of the Delta Plan, specifically, how the plan will enhance decision making, coordination and accountability. Limitations on these expectations can be noted and identified. Where the Council believes new or enhanced authority or responsibility for existing organizations or reformed organizations is appropriate beyond that now afforded in law, it should make recommendations accordingly.	This comment will be considered for preparation of the Delta Plan and EIR
Solano County	3/10/2011	First Staff Draft Delta Plan: ...we believe this process needs to move forward in a slower, more deliberate fashion. It also needs to be truly inclusive of all interests, and not be driven by a powerful few with greater resources to commit to this process. Thorough and objective peer-reviewed science must be the basis for all plan provisions. Expedience to meet artificial statutory deadlines or to appease various interests must be tempered for the sake of public policy that is fair and comprehensive.	This comment will be considered for preparation of the Delta Plan and EIR

Matrix 2 Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)

Association	Date	Comment	Status of Comment
Solano County	3/10/2011	First Staff Draft Delta Plan: At this stage of Delta Plan preparation, it seems significant issues are still being analyzed. Paramount is the conveyance system...The County...does have concerns that any system implemented maintains adequate flows to meet the needs of local water users with no impacts on existing allocations. We also want to ensure that sufficient flows are provided so as to prevent salinity intrusion further into the Delta, adhering to protections required by the Suisun Marsh Plan. A scenario of particular concern to the County is reduced flows through the Delta rendering the existing and contemplated habitat restoration efforts in the Bay Delta ineffective in achieving their intended purpose. In essence, there is a risk of considerable disruption of very productive and sustainable agricultural activities for no good purpose in the end.	This comment will be considered for preparation of the Delta Plan and EIR
Solano County	3/10/2011	First Staff Draft Delta Plan: The current draft reveals very little, if any, consideration of local concerns. It is our belief that partnerships with local entities will be essential if the plan is to achieve any of its intended purpose. Habitat restoration is a case in point. If it is carried out piecemeally, it is highly unlikely viable agricultural activities within a targeted area will be able to successfully coexist. We also believe levee maintenance could be compromised. Critical components to agricultural operations such as access, support infrastructure, and reasonable and responsible operational controls, are also likely to be negatively impacted by piecemeal habitat project implementation...Solano County strongly believes the Delta Plan can proactively address this issue through inclusion of a clearly defined and structured consultation process with counties and other local entities impacted by implementation of components of the Delta Plan.	This comment will be considered for preparation of the Delta Plan and EIR
Solano County	3/10/2011	First Staff Draft Delta Plan: Economic impacts of land conversions- Creation of new habitat lands could have local adverse economic impacts such as lost property taxes and assessments, third party impacts and direct costs (such as mosquito abatement, law enforcement and rescue) and potentially irreversible economic impacts to the existing regional communities that are dependent on agriculture as their life blood for existence. To mitigate these impacts, the following actions should be considered: o Support for economic mitigation o Adequate funding to ensure the economic sustainability of Delta communities o Payment for third party impacts o In-lieu of payments for property tax revenues lost as a result of conversion of productive private lands to public ownership o Full mitigation for the loss of agricultural land that will be taken out of production o Fiscal support to manage impacts of habitat restoration over the long term.	This comment will be considered for preparation of the Delta Plan and EIR

Matrix 2 Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)

Association	Date	Comment	Status of Comment
Solano County	3/10/2011	First Staff Draft Delta Plan: Urban and Ag Runoff/Discharges-the establishment of habitat projects in Restoration Opportunity Areas is expected to result in increased fish populations, many of which will be Endangered Species Act/California Endangered Species Act (ESA/CESA) listed. This may result in increased regulation of runoff and discharge from areas that drain into Restoration Opportunity Areas (ROAs). Legal/legislative relief will be necessary to ensure that agricultural and water operations are not impeded; including municipal and agricultural intakes.	This comment will be considered for preparation of the Delta Plan and EIR
Solano County	3/10/2011	First Staff Draft Delta Plan: Endangered Species Act-Agricultural diversions in the ROA's could be required to modify operations, be screened or consolidated due to concern of their impact to endangered species, at great expense to the diverters who are mostly private landowners (with some public agencies). To address these impacts, the following actions should be considered: o Obtain "safe harbor" coverage for incidental hann to aquatic endangered species for individual agricultural water diverters in the Cache Slough area in the Bay Delta Conservation Plan. o Provide funding for fish screens on agricultural diversions if required, as was done for "San Joaquin River Settlement.	This comment will be considered for preparation of the Delta Plan and EIR
Solano County	3/10/2011	First Staff Draft Delta Plan: Levee Maintenance--Provide funding for levee maintenance and improvements in the short and long term (based on the use of broad based fees). Specifically analyze impact of Ecosystem Restoration projects on flood management and totally fund measures to mitigate increased risk.	This comment will be considered for preparation of the Delta Plan and EIR
Solano County	3/10/2011	First Staff Draft Delta Plan: Local Government Impacts--Ensure the flood control system is not compromised by the state or federal government to facilitate conveyance or habitat development and recognize that some of these efforts will impose potential hefty regulatory impacts on local government that should be mitigated in coordination with the local government.	This comment will be considered for preparation of the Delta Plan and EIR
Solano County	3/10/2011	First Staff Draft Delta Plan: Ensure that local government resources are protected. o Local governments need to be held harmless with good neighbor agreements. o Delta Counties and municipalities and local special districts should not be harmed in this process-Delta Counties (including communities) need to be protected from further erosion loss.	This comment will be considered for preparation of the Delta Plan and EIR
Solano County	3/10/2011	First Staff Draft Delta Plan - Chapter 1: The co-equal goals are to be pursued in a way that "protects and enhances the unique cultural, recreational, natural resources, and agricultural values of the Delta as an evolving place." What steps are being taken to ensure that this part of the co-equal goals are more than just eloquent policy but activate a basis for long-term policy that provides protections for Delta communities?	This comment will be considered for preparation of the Delta Plan

Matrix 2 Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)

Association	Date	Comment	Status of Comment
Solano County	3/10/2011	First Staff Draft Delta Plan - Chapter 1: Chapter 1 says that the Delta Plan will be successful if it allows California to move forward on the key statewide concerns, while recognizing the uniqueness of the Delta and Suisun Marsh. Solano County believes that the success of the Delta Plan includes providing protections and recommends that the words at the top of page 1-2 be changed as follows, " ... California to move forward on the key statewide concerns, it must preserve, protect and mitigate for impacts of plan implementation to the Delta and Suisun Marsh, thus recognizing the uniqueness and ecological, historic and economic importance of these areas."	This comment will be considered for preparation of the Delta Plan
Solano County	3/10/2011	First Staff Draft Delta Plan - Chapter 1: On page 1-6 of Chapter 1, three bullets list items that should be considered for the Delta Plan. The last bullet states that "California state government cannot guarantee the Delta will be free from threats of flood, earthquake, or other natural disasters." What is the secondary plan if and when any of these events happen? If the state is ultimately responsible to respond to such events, how can it prepare itself now to address unplanned future events?	This comment will be considered for preparation of the Delta Plan
Solano County	3/10/2011	First Staff Draft Delta Plan - Chapter 3: A discussion of financing the coequal goals should include secure sustainable funding outside of the State General Fund process so dedicated resources cannot be diverted to handle other issues.	This comment will be considered for preparation of the Delta Plan
Solano County	3/10/2011	First Staff Draft Delta Plan - Chapter 4: Although the concept of adaptive management appears to have many benefits, how beneficial can it be if changes have unintended consequences and are irreversible? It seems reasonable that changes would best be made in moderate, reversible increments. Additionally, for this process to be effective, adequate funding in perpetuity must exist before changes are system changes are made. Solano County recommends that any funding source be created to exist outside the General Fund process so dedicated resources cannot be diverted to address other issues.	This comment will be considered for preparation of the Delta Plan
Solano County	3/10/2011	First Staff Draft Delta Plan - Chapter 4: On page 4 of this chapter it discusses the five steps of the plan part of the adaptive management process. Yet, there is no public process incorporated into this model that allow for issues to be raised in lay terms and discussed in ways that elected officials and members of the community can understand.	This comment will be considered for preparation of the Delta Plan
Solano County	3/10/2011	First Staff Draft Delta Plan - Chapter 5: Water transfers should be clearly defined with examples provided of various kinds of transfers and why these work or create problems.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 2 **Comments Related to Development of the Delta Plan (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
Solano County	3/10/2011	First Staff Draft Delta Plan - Chapter 6: In the Restore or Protect Habitat Section it states that "Suisun Marsh, while mainly seasonal managed wetlands, is lacking natural habitat diversity." Is this really true? Based on 11 year Suisun Marsh charter planning process just concluded, this is demonstrably false. What is the basis for this statement?	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Solano County	3/10/2011	First Staff Draft Delta Plan - Chapter 6: The finding regarding a lack of current scientific infrastructure and expertise to support the science and adaptive management needed for successful ecosystem restoration and suggests a specific governance structure is necessary to support this effort. Existing governance structures should be reconfigured to address any concerns in this area. It will be important to ensure that exporters are not given responsibility to police themselves.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Solano County	3/10/2011	First Staff Draft Delta Plan - Chapter 6: Suggest adding the following item to "Working Categories of Potential Policies and Recommendations: • Protecting Delta communities and business interests.	This comment will be considered for preparation of the Delta Plan
Solano County	3/10/2011	First Staff Draft Delta Plan - Chapter 8: The findings related to emergency preparedness should include any linkages to Bay Area plans such as the Suisun Marsh Protection Act/Plan, Bay Area UASI, ABAG, and Bay Conservation and Development Commission (BCDC) and their communities.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 3 **Comments Related to Development of Alternatives (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: CALIFORNIA'S TOTAL WATER SUPPLY IS FINITE. Response: Significant changes are needed in how water is managed. These changes include: · Adapting to the obvious water supply limits that confront us, including reducing water exports from the Bay Delta; · Understanding that healthy aquatic environments, while representing far more than economic value, are also worth billions of dollars to our economy. · Evaluation of full implementation of the Delta Flow Criteria as adopted by the State Water Resources Control Board in August of 2010 as one of the alternatives to be considered for all future environmental impact reports related to Delta water. · Utilization of the SWRCB Delta Flow Criteria in establishing a level of flows that protect public trust resources of the Delta. · In keeping with the first key finding in the cover letter ("water supply is oversubscribed"), the DSC should develop a plan to bring CVP and SWP contract amounts in line with historic firm yields and eliminate "paper water."	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: CALIFORNIA'S WATER SUPPLY IS PROVIDED BY LOCAL, REGIONAL, STATE AND FEDERAL DAMS, RESERVOIRS AND CONVEYANCE SYSTEMS. HOWEVER, IMPROVED REGIONAL WATER SUPPLY SELF-RELIANCE IS ONE OF THE MAJOR WAYS WE CAN MEET OUR COEQUAL GOALS OVER THE COMING DECADES. Response: Regional water supply self-reliance is the existing law. Relying on the resources of another region of California before making maximum use of local supplies puts supply reliability at great risk. The Delta Plan should mandate agricultural and urban compliance with existing law and reduce exports from the Delta watershed, thereby responding to its statutory requirements to preserve the Delta and make water supplies more reliable. The current unrealistic expectations should be removed and existing supply made reliable by realigning all water supply contracts to reflect the actual supply available. Water rights permits must be based on actual known available water supplies.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: SURFACE AND GROUNDWATER SUPPLIES WILL ONLY BE RELIABLE ON A LONG-TERM BASIS IF GROUNDWATER OVERDRAFT IS ELIMINATED. Response: We agree with this finding. There are three ways to deal with this overdraft. The first is to further overdraft Delta waters to temporarily prop up those largely San Joaquin Valley uses, including the irrigation of drainage contaminating areas. The second is to overdraft currently healthy Northern California groundwater (directly or indirectly) and ship that water to the San Joaquin Valley. The third approach is to either intentionally or unintentionally see agricultural water usage in the San Joaquin Valley change.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 3 **Comments Related to Development of Alternatives (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: URBAN RESIDENTIAL WATER USE HAS NOT DECLINED FOR THE PAST 40 YEARS. AGRICULTURAL WATER USE HAS CONTINUED TO BE AT THE SAME STATEWIDE LEVEL OF APPROXIMATELY 33-34 MAF PER YEAR FOR MANY YEARS. WHAT REMAINS OF THE AVAILABLE WATER SUPPLY IS OFTEN CALLED ENVIRONMENTAL WATER. WITH POPULATION GROWTH AND LITTLE CHANGE IN WATER EFFICIENCY, CALIFORNIA'S WATER DEMANDS WILL CONTINUE TO INCREASE. Response: We do not agree with this finding. As your finding indicates agriculture water use is not growing. The 2009 State Water Plan Update projects agricultural water use to actually decrease. There is a wealth of best available science identifying how water demands can actually be reduced by millions of acre-feet annually through water use efficiency. In addition there are opportunities to develop millions of acre feet of sustainable water supplies through local stormwater capture, ground water cleanup, floodplain storage and brackish water desalination.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: WATER CONSERVATION IN ALL SECTORS CAN BE SIGNIFICANTLY IMPROVED. Response: Multiple studies conducted over the last decade show that a suite of aggressive conservation and water efficiency actions would reduce overall demand with cost-effective and existing technology. These measures will handle California's water needs well into the foreseeable future and will do so at far less financial and environmental cost than constructing more storage dams and reservoirs. The measures include: · Establish a statewide oversight unit responsible for coordinating and monitoring accomplishment of enhanced conservation targets. · Reduce average per capita urban water use to less than 100 gallons per day, with steeply tiered rates beyond that rate of consumption. · Require implementation of specific water use reduction targets by agricultural water users. · Implement statewide mandatory multiple tiered conservation rate structures as part of Urban Best Management Practices. · Reform the current water rights systems, to comply with state constitutional provisions related to unreasonable use of water, beneficial use of water, use-efficiency, and the public trust doctrine. · Reinstate the urban preference and the public ownership of the Kern Water Bank in order to meet the needs of southern California cities.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 3 **Comments Related to Development of Alternatives (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: REUSE OF WATER, RECYCLING, GROUNDWATER MANAGEMENT, STORMWATER CAPTURE, TREATMENT AND REUSE OF IMPAIRED WATERS, SEA WATER DESALTING IS VITAL TO IMPROVING THE OVERALL RELIABILITY OF CALIFORNIA'S WATER SUPPLIES, BUT IS NOT LIKELY TO BE A MAJOR FACTOR FOR SEVERAL DECADES OR MORE. Response: Two aspects of this finding are incorrect. First, many of these sustainable strategies CAN BE, HAVE BEEN AND ARE being implemented just as fast as resources allow. A check with the Department of Water Resources and major water agencies will identify how much is already being conserved (likely well over 1 million acre feet of water annually). The Bureau of Reclamation, particularly the Colorado River Region Office, and the WaterReuse Association can provide lists and capacities of water recycling projects that can be implemented in the near to mid term. Large numbers of these projects can and will be implemented far before any changes in Delta conveyance (which will not themselves increase water supply) are actually implemented. Secondly, sea water desalination, particularly using open sea water intakes, is not currently an environmentally sustainable water source. Best available science has documented its high toll on sea life resulting from intake entrapment and entrainment. In addition, with currently available technology it is the most energy and green house gas intensive method possible for providing water – most of which would be used for nonpotable purposes. By contrast brackish water desalination is a viable source because it entirely avoids the sea life deaths caused by entrapment and entrainment and it uses far less energy due to significantly less salinity of the source water.\	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: STORAGE CAPACITY MUST BE INCREASED AND RESERVOIR OPERATIONS MODIFIED TO IMPROVE WATER SUPPLY RELIABILITY. Response: Storage capacity upstream of the Delta cannot be usefully or economically increased. The good locations have already had dams built upon them, and rivers and streams leading into the Delta are over-appropriated now...Present reservoir operations upstream of the Delta need to be changed to store less water in winter and spring months and to decrease deliveries during the dry part of the year to reestablish ecologic conditions that could recover species in the Delta and the Delta watershed. In addition “forecast based releases” for existing flood control dams can actually increase flood protection and result in some incremental increase in effective storage. However there is no scientific evidence that could rationally lead to a conclusion that more surface storage could help either the water supply or the environment. Artificial recharge of groundwater basins in the San Joaquin Valley should only occur in basins that have been damaged or disconnected from surface waters. Healthy, connected groundwater basins must be preserved to support existing communities, orchards, streams, terrestrial habitat and dependent species. One potential exception is storage in a portion of the Tulare Lake Bed. Because CALFED ignored this possibility there is no available analysis to determine whether it could actually have water supply and ecosystem benefits. This analysis needs to be accomplished.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 3 **Comments Related to Development of Alternatives (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: CONVEYANCE MUST BE CHANGED AND RE-OPERATED TO IMPROVE WATER SUPPLY RELIABILITY. Response: The last sentence in this finding is correct as far as it goes, "In order to do this, it will be necessary to establish clear and enforceable criteria and constraints for Delta operations." However this plan should be more forthcoming in describing how difficult it is to establish clear criteria and constraints that would actually be enforced...To provide effective guidance to the Bay Delta Conservation Plan, the Delta Plan should specifically call for environmental, engineering, financial and economic analyses, at an equal level of detail, for facility capacities from 3,000 c.f.s. to 15,000 c.f.s. as well as alternatives that would utilize existing conveyance without new major conveyance facilities.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: The Plan should explicitly specify that the State Water Resources Control Board shall expeditiously begin to develop and adopt public trust flow standards for existing Delta conveyance and that no new conveyance changes shall be approved until new public trust standards for those proposed changes are adopted.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: Not only should "Further Water Supply Contracts" be under the jurisdiction of this plan, but also any amendments or extensions of existing contracts.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: Per capita water use standards should be listed under Potential Policies and Recommendations.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: Brackish water desalination should be included.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 3 **Comments Related to Development of Alternatives (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: Research on how to avoid impacts of sea water desalination on sea life and to significantly reduce energy consumption and accompanying green house gas production should be included. Sea water desalination is not ready to be listed as an environmentally sustainable source.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: It should be explicit that any "Future Water Transfer Programs – Short Term and Long Term," that go through the Delta must comply with protective public trust flow standards and not contribute to the over allocation of source area surface or groundwater resources.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 6: THE PROCESS FOR OBTAINING PROJECT SPECIFIC PERMITTING AND AUTHORIZATION ARE NOT WELL COORDINATED, WHICH COULD DELAY PROGRESS ON ECOSYSTEM RESTORATION. Response: Developing a specific entity to coordinate this process would streamline the effort, and make it easier for both public agencies and private landowners to work effectively. Using the Partners program within FWS would be a good place to start for a model and help with design.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 6: EVEN WITH SUBSTANTIAL RESTORATION EFFORTS, SOME NATIVE SPECIES MAY NOT SURVIVE. Response: Change title to, "Even with substantial restoration efforts, some native species face continued threats to their viability and recovery." We feel that predicting extinction is beyond our ability, and doing so sets the stage for failure. We would suggest adding, "Every effort will be made, consistent with the FWS and NMFS recovery plans for listed species, to recover all listed species to viable, self-sustaining populations."...Best available peer-reviewed science has concluded that most of the reasons species such as salmon and delta smelt are nearing extinction are human caused. This first draft plan negates our responsibility to other species by concluding that even with "substantial" restoration effort some species may not survive...If the Plan is to conclude some species may not survive, the Plan must identify which species and what is considered "substantial" restoration and what additional restoration would be required to avoid such extinctions...We also note that changes in Delta conveyance that would contribute to species extinction are impermissible under the California Endangered Species Act, the Natural Communities Conservation Planning Act, the federal Habitat Conservation Plans as well as Sections 7 and 10 of the Federal Endangered Species act	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 3 **Comments Related to Development of Alternatives (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 6: MOST FLOODPLAINS IN THE CENTRAL VALLEY LACK CONNECTIVITY WITH THE RIVERS TO THE DETRIMENT TO THE ECOSYSTEM. Response: We agree. The present levee system does not take into account the need for annual flooding to benefit the environment. Where possible below rim dams, water diverters should be required to release enough water to over-top banks and reconnect floodplains with their associated rivers and streams.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 6: We recommend adding this finding: THE SWRCB FLOW CRITERIA MADE SPECIFIC RECOMMENDATIONS ON FLOWS TO RESTORE THE PUBLIC TRUST FISHERIES. Response: The SWRCB recommendations should be included as part of the process of evaluating the changes needed to restore the Delta and its fisheries.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 6: CURRENT IN-STREAM STRUCTURES (E.G. DAMS, WEIRS, AND GATES) IMPAIR LOCAL AND MIGRATORY MOVEMENT OF NATIVE RESIDENT AND MIGRATORY SPECIES IN THE DELTA AND UP-STREAM REACHES. Response: We agree with this finding and suggest that the Council develop a program within the Delta Plan to require all diversions to be screened and that all dams and weirs have fishways in accordance with state law. Any financial plan should require that users (beneficiaries) of projects that include dams, weirs, and gates are financially responsible for ensuring fish passage within 10 years, or cease diverting California's water.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 8: RECENT FLOODS STIMULATE EMERGENCY RESPONSE PLANNING, BUT THE PROCESS IS FAR TOO SLOW. Response: We agree, but as a practical matter when you get hit on the ground, local agencies are the best prepared to respond. There needs to be a clear State commitment along with funding to fix levee breaks and dewater flooded Delta islands. There should be establishment of a state-funded Delta Emergency Response Fund that can be used to distribute funds to local agencies for flood fighting.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 8: SUBSIDED DELTA ISLANDS ARE AT THE HIGHEST RISK OF FLOODING AND ARE LIKELY TO SUCCUMB TO FLOOD OVER THE COMING DECADES. Response: There has been tremendous subsidence of Delta islands since they were first constructed. Organic soil was originally spread throughout the Delta, but it was relatively shallow and has subsequently been largely oxidized or burned to the point that subsidence is not active on most Delta islands. LIDAR surveys indicate that few Delta areas are actively subsiding. Surveys and geotechnical evaluations show that subsidence rarely occurs close enough to levees to pose a significant risk. A "toe berm" design on existing levees can provide adequate protection. Source: Delta Engineers' letter to Senator Lois Wolk (August 4, 2009).	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 3 Comments Related to Development of Alternatives (2/5/11 - 3/18/11)

Association	Date	Comment	Status of Comment
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 8: DELTA LEVEES ARE ALSO THREATENED BY EARTHQUAKES. Response: We agree that Delta levees are threatened by earthquakes and that more should be done to reduce that risk. However we do not agree with the language in the Draft Delta Plan which overstates the risk of earthquake hazards and susceptibility. Based on the Delta Risk Management Strategy, the flood risk to Sherman Island, the capstone of Delta water quality is 5-7% (mean annual frequency), compared to an earthquake risk of 3-5% (mean annual frequency). The Delta Engineers' letter to Senator Lois Wolk (August 4, 2009) states numerous times that 21 years of DWR's Delta Levees Program has significantly reduced the vulnerability of Delta levees to failure. We know of no known Delta levee failure due to earthquakes.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 8: LEVEE SAFETY STATUS QUO IS UNACCEPTABLE. Response: We agree that improvements are needed, but we disagree that Delta levee safety is as stark as it is painted in the draft Delta Plan. The Delta Engineers' letter states that an acceptable level of protection (P.L. 84-99 and State Bulletin 192-82) can be met for a cost of \$1 billion. Furthermore, they indicate that nearly all non-project levees could be brought up to the agricultural standards with existing Proposition 84 and 1E bond funds combined with local cost sharing requirements.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 8: SETBACK LEVEES PROVIDE MULTIPLE BENEFITS. Response: We agree. However, to construct a setback levee in the Delta lowlands is a monumental task because it moves the levee away from existing foundations that have been consolidated since the early levees were first built. Constructing setback levees in the upper reaches of the Delta where drainage is better than in the lowlands is much more feasible.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 8: CLIMATE CHANGE THREATENS IMPORTANT INFRASTRUCTURE IN THE DELTA. Response: We agree that climate change can threaten infrastructure, but we believe that the Draft Delta Plan overstates the problem. Sea level rise occurs at a slow pace and a consistent, long-term maintenance program would enable levee systems to be upgraded to keep up with sea level rise. According to the Delta Engineers' letter, if current Delta levees are brought up to existing P.L. 84-99 and State Bulletin 192-82 standards there is already adequate annual maintenance funding from levee districts to upgrade levees over time to meet projected sea level rise.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 8: WORKING CATEGORIES OF POTENTIAL POLICIES AND RECOMMENDATIONS Response: We recommend that the Delta Stewardship Council include policies and recommendations for a Delta Emergency Response Fund that can be used to distribute funds to local agencies for flood fighting.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 3 Comments Related to Development of Alternatives (2/5/11 - 3/18/11)

Association	Date	Comment	Status of Comment
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 9: THE COMPLEX SYSTEM OF DELTA GOVERNANCE COMPLICATES COORDINATED AND INTEGRATED PLANNING EFFORTS IN THE DELTA. Response: Governance issues that require a regional coordinated effort should be handled by the Delta Protection Commission. Governance issues regarding flows, export levels, and water quality should continue to be addressed by the State Water Resources Control Board. SB x7, and the resulting creation of the Delta Stewardship Council, new Delta Protection Commission authorities, and new Delta assessments for flow standards by the State Water Resources Control Board, should streamline past governance issues.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 9: LEVEE CONSTRUCTION AND CONVENTIONAL AGRICULTURAL PRACTICES HAVE RESULTED IN SUBSIDENCE ON DELTA ISLANDS. Response: Delta engineers via responses to the DREAMS study, and in response to Delta Vision, and in 2009 reports to Senator Lois Wolk, have repeatedly affirmed that subsidence is not continuing to occur on much of the Delta's land surface. According to local engineering estimates, of the islands marked as subsiding on the Dreams report, about 10% of their total land mass shows current subsidence. The majority of Delta subsidence occurred during the first half of the last century, and many areas of land have become packed and are simply not subsiding at the same rate as in the past. In addition, Delta farmers have moved and continue to move toward sustainable cultivation practices in order to conserve soil levels. During the recommendation process, sustainable agricultural practices and promotion of crops that contribute to the addition, or building up of land mass, should be emphasized. DSC staff should look into rice studies conducted by the San Joaquin County Ag Extension program conducted on various Delta islands over the last four years. In these studies, land mass increased through rice farming. Work has also been done on the cultivation of grapes as a tool to manage soil subsidence. A governance tool for managing and reversing subsidence is the creation and promotion of agricultural programs that conserve and help to build soil levels in the Delta.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 9: THE ACQUISITION OF FARMLAND AND SUBSEQUENT RETIREMENT OF THAT LAND AFFECTS THE ECONOMIC BASE FOR FARM SUPPORT INDUSTRIES. Response: Other Delta processes, most notably the Bay Delta Conservation Plan, call for between 40,000 and 100,000 acres of prime Delta farmland to be returned to wetlands habitat. Such calls for a conversion of farmland to habitat is already having a less than desirable impact on land values, real estate transactions, and long term planning for farming families. Habitat restoration should focus on rewarding farmers for integrating wetland habitat into current farming landscapes. In addition, as favored by Congressman John Garamendi, research should be conducted to examine possibilities for habitat restoration as part of setback levees. Additionally, lands already owned by the state should be considered for restoration, and research should be conducted to examine the viability of restoring and converting lost islands like Franks Track into wetland habitat.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 3 Comments Related to Development of Alternatives (2/5/11 - 3/18/11)

Association	Date	Comment	Status of Comment
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 9: RISKS TO THE DELTA MUST BE REDUCED TO ALLOW FOR ITS EVOLUTION, PROTECTION, AND ENHANCEMENT. Response: Climate change will lead to increases in the flood threat, varied with decreased flows and sea level rise. These are events for which planning must be completed. New resulting infrastructure will lead to changes in levee construction and flow management in an adaptive management scheme. Such Delta planning, however, cannot take place in a vacuum. Decisions will need to be made regarding the sustainability and management of the San Francisco Bay. These policy decisions regarding the San Francisco Bay will have a direct impact on Delta climate change management plans and will need to be integrated into implementation of the Delta Plan. We suggest changing the finding to read: "Risks to the Delta and its watersheds...."	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Eco-Water-Source.Org	2/16/2011	California should be leading the efforts to bring H2O Source's promise to all its citizens. Please study these possibilities on the web-site below [www.eco-water-source.org], then contact me to learn more.	This comment will be considered for preparation of the Delta Plan and EIR
Endangered Species Coalition	2/15/2011	I wanted to give you this link to a Sac Bee Op-Ed by Peter Gleick at the Pacific Institute. You may have seen it back in January, but I thought it appropriate in the context of the meetings to discuss the draft next week at your meetings. Peter discusses the importance of storage during high water years, but not as surface storage, but via groundwater recharge. It is something we made as a recommendation in our document submitted in Stockton. Here's the link: http://www.pacinst.org/publications/essays_and_opinion/state_needs_more_water_storage.html	This comment will be considered for preparation of the Delta Plan and EIR
Northern California Water Association, Regional Water Authority, Glenn-Colusa Irrigation District, and Placer County Water Agency	2/24/2011	NCWA and Sacramento Valley water resources managers are committed to advance the economic, social, and environmental sustainability of the Sacramento Valley by enhancing and preserving its water rights, supplies, and water quality for the rich mosaic of farmlands, cities and rural communities, refuges and managed wetlands, and meandering rivers that support fisheries and wildlife. These water rights and supplies are essential for all three pillars of sustainability: the economy, environmental stewardship and social and community well-being; which--in the Sacramento Valley--are all closely integrated.	This comment will be considered for preparation of the Delta Plan and EIR
Northern California Water Association, Regional Water Authority, Glenn-Colusa Irrigation District, and Placer County Water Agency	2/24/2011	NCWA recognizes that the Bay-Delta, like the Sacramento Valley, is an important economic and environmental resource benefiting all of California and the nation, and that there is much at stake in how one implements the numerous ecosystem restoration and water management actions that are under consideration. In this context, NCWA remains committed to work toward a successful resolution to the Delta's complex environmental and water supply problems and to provide stability to the state's water system.	This comment will be considered for preparation of the Delta Plan and EIR

Matrix 3 **Comments Related to Development of Alternatives (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
Northern California Water Association, Regional Water Authority, Glenn-Colusa Irrigation District, and Placer County Water Agency	2/24/2011	NCWA has convened several renowned water management experts to better understand and portray the Sacramento Valley hydrologic region and to provide water resources managers with additional tools to promote efficient water management while enhancing regional sustainability. These experts are preparing a "Technical Report on Efficient Water Management for Regional Sustainability in the Sacramento Valley" that will describe the region and the opportunities for improved water management.	This comment will be considered for preparation of the Delta Plan and EIR
Northern California Water Association, Regional Water Authority, Glenn-Colusa Irrigation District, and Placer County Water Agency	2/24/2011	NCW A has retained leading fisheries biologists to provide a scientific approach that will build upon the various efforts in the region. For the Pacific Flyway, these actions have all been part of the Central Valley Joint Habitat Venture Implementation Plan. We are also working closely with the California Rice Commission and numerous conservation partners, including the Point Reyes Bird Observatory, to improve habitat values along the Pacific Flyway.	This comment will be considered for preparation of the Delta Plan and EIR
Northern California Water Association, Regional Water Authority, Glenn-Colusa Irrigation District, and Placer County Water Agency	2/24/2011	Sacramento Valley water resources managers have partnered with federal and state agencies to assure that the State Water Resources Control Board's Bay-Delta water quality objectives for the Sacramento River are met. In fact, these objectives have continually been achieved over the past several decades. Additionally, the California Rice Commission and Sacramento Valley Water Quality Coalition, on behalf of farmers and wetlands managers throughout the region, have developed an aggressive "Regional Plan for Action" to improve and enhance water quality within the Sacramento Valley. These programs have comprehensive monitoring, management practices and outreach and they comply with the Regional Water Quality Control Board's Irrigated Lands Program and various other regulatory programs, including TMDLs. Likewise, in urban areas, communities comply with waste discharge requirements and stormwater programs established by the SWRCB and the Regional Boards.	This comment will be considered for preparation of the Delta Plan and EIR
Northern California Water Association, Regional Water Authority, Glenn-Colusa Irrigation District, and Placer County Water Agency	2/24/2011	Sacramento Valley water resources managers are actively managing the water resources in the region to assure the region will be sustainable with respect to water resources and the attendant benefits. This includes efforts to more actively manage the groundwater resources in the Sacramento Valley in conjunction with the surface water resources to assure the safe and sustainable long-term yield of groundwater aquifers.	This comment will be considered for preparation of the Delta Plan and EIR

Matrix 3 **Comments Related to Development of Alternatives (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
Northern California Water Association, Regional Water Authority, Glenn-Colusa Irrigation District, and Placer County Water Agency	2/24/2011	Public entities in the Sacramento Valley formed the Sites Project Authority (Authority) in August 2010 to advance water storage opportunities in the region. The Authority is partnering with the Department of Water Resources (DWR) and the Bureau of Reclamation to thoroughly evaluate the feasibility of offstream storage at Sites Reservoir as a management tool to provide system flexibility and to make water available to meet the Delta's co-equal goals during critical times.	This comment will be considered for preparation of the Delta Plan and EIR
Northern California Water Association, Regional Water Authority, Glenn-Colusa Irrigation District, and Placer County Water Agency	2/24/2011	Flood protection entities have partnered with state and federal agencies for the past century to invest in public safety and protect the region against flooding that has ravaged the Valley and the Delta. These entities in the Sacramento Valley will continue to work with state and federal entities to provide public safety and to help implement the Central Valley Flood Control Plan.	This comment will be considered for preparation of the Delta Plan and EIR
Resident of Dixon	2/24/2011	A reliable water supply for which part of California, for what purpose, one might ask. When reports are read of so called "farmers", i.e. agribusiness, selling water obtained for farming at unconscionable profits to support ill planned development elsewhere, one wonders just how this meets the test of "coequal". When one reads of alternate potential water sources being ignored in the planning of development on lands otherwise unable to support growth, one questions motivation along with ethics of those involved.	This comment will be considered for preparation of the Delta Plan and EIR
Resident of Dixon	2/24/2011	Meanwhile, the First Draft Delta Plan pays little attention to the most assured, as well as probable, effects of diversion of huge quantities of water from the Sacramento River on surrounding agriculture in Sacramento, Yolo and Solano Counties. Clearly, agriculture, as well as terrestrial habitat, along the river will suffer as salinity from seawater moves upstream. The degree to which such salinity will also contaminate aquifers is not addressed, but certainly a likelihood. Related climatic effects will further impede area agriculture.	This comment will be considered for preparation of the Delta Plan and EIR
Resident of Dixon	2/24/2011	It is, however, well documented that the above referenced counties supply highly significant proportions of the world's food: 80 percent of tomatoes, for example. So, here is my point: How can any of us possibly afford to risk losing our ability to meet our most basic needs, namely, clean air, potable water and food? To damage the magnificent Delta ecosystem is, in my view unconscionable; to damage our ability to meet basic needs seems foolhardy.	This comment will be considered for preparation of the Delta Plan and EIR
Resident of Lafayette	2/10/2011	An Outline of a Rational Policy for Delta Levees...The historic Delta has been modified by the creation of islands surrounded by levees. The following points assume that this configuration will be largely preserved, partly to protect the existing infrastructure, including water conveyance, and partly to maintain the Delta as a Place...Restoration of some measure of complexity to the Delta waterways is desirable but this can best be accomplished by recovering the sunken islands, not as farmed islands but as tidal wetlands, by encouraging the growth of native vegetation on the water side of all the levees and perhaps adding water side benches, and possibly by restricting the flows in selected channels.	This comment will be considered for preparation of the Delta Plan and EIR

Matrix 3 **Comments Related to Development of Alternatives (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
Resident of Lafayette	2/10/2011	An Outline of a Rational Policy for Delta Levees...1. Opinions vary as to the current condition of the delta levees but these differences are exaggerated in public discussion as a result of posturing by one side or another...	This comment will be considered for preparation of the Delta Plan and EIR
Resident of Lafayette	2/10/2011	An Outline of a Rational Policy for Delta Levees...2...(i) the levees hold back water every day so that their static stability and seepage control measures are pretty good; (ii) "sunny day failures" are still a problem but the likelihood of these failures can be minimized by better monitoring; (iii) earthquake-induced failures are a legitimate concern but opinions vary on how great the hazard really is and more precise evaluations are hampered by a lack of data (paraphrased).	This comment will be considered for preparation of the Delta Plan and EIR
Resident of Lafayette	2/10/2011	An Outline of a Rational Policy for Delta Levees...3. The DRMS study is not a good basis for drawing any numerical conclusions because it was schedule-driven and hampered by big data gaps.	This comment will be considered for preparation of the Delta Plan and EIR
Resident of Lafayette	2/10/2011	An Outline of a Rational Policy for Delta Levees...4. My own opinion is that with continuing improvements funded by the State's subventions program and the \$200m that is being made available by the Federal government through the Corps of Engineers, the Delta levees are, or will be, in not such bad shape for flood and earthquake loadings with a 100 year return period.	This comment will be considered for preparation of the Delta Plan and EIR
Resident of Lafayette	2/10/2011	An Outline of a Rational Policy for Delta Levees...5. However, given the importance of the levees for maintaining the Delta as a place and protecting the vital infrastructure that runs through it, designing for a 100 year return period is inadequate. Critical structures in this state like schools and hospitals are designed for something like a 1000 year return period. The new East Bay Bridge, which is a critical structure, but no more critical than many of the Delta levees, was designed for 1500 year return period ground motions. On balance, design for flood and earthquake loadings with return periods in the order of 500 years would appear to be appropriate.	This comment will be considered for preparation of the Delta Plan and EIR
Resident of Lafayette	2/10/2011	An Outline of a Rational Policy for Delta Levees...6. It is feasible to design for 500-year return period loadings by widening the existing levees on the land side as shown by the "super levees" designed for Delta Wetlands. Such levees can be constructed at a cost which might be in the order of \$5-8m per mile. These levees can also easily be raised as necessary to accommodate sea level rise.	This comment will be considered for preparation of the Delta Plan and EIR
Resident of Lafayette	2/10/2011	An Outline of a Rational Policy for Delta Levees...7. A critical component of the ecosystem restoration element of the Delta Plan should be the restoration of native vegetation on the water side of every Delta levee. This might require the installation of an engineered rodent and root barrier but can otherwise be easily accommodated by using a more substantial levee section.	This comment will be considered for preparation of the Delta Plan and EIR
Resident of Lafayette	2/10/2011	An Outline of a Rational Policy for Delta Levees...8. Other levee standards are not applicable to the Delta and the Delta Plan should include a Delta-specific levee standard. This standard should require advanced monitoring for defects and real-time alerts of deformation or failure.	This comment will be considered for preparation of the Delta Plan and EIR
Resident of Lafayette	2/10/2011	An Outline of a Rational Policy for Delta Levees...9. Both Jeff Mount and Bob Bea are calling for wider use of risk- based approaches for dealing with the Delta levees. That is fine in theory, and an updated risk assessment might be a good way to prioritize spending on Delta levees, but it should be recognized that there are significant uncertainties in such analyses and that they cannot be used directly for design purposes. Common-sense rules, such as giving priority to the islands in the Western Delta are likely to be just as, or more useful.	This comment will be considered for preparation of the Delta Plan and EIR

Matrix 3 Comments Related to Development of Alternatives (2/5/11 - 3/18/11)

Association	Date	Comment	Status of Comment
Resident of Lafayette	2/10/2011	An Outline of a Rational Policy for Delta Levees...10. The cost of the required improvements is manageable relative to the value of the infrastructure that passes through the Delta (including water conveyance) and the cost of relocating this infrastructure. There is a relatively simple path to financing such super levees as outlined in my recent remarks to the Contra Costa Council Water Task Force.	This comment will be considered for preparation of the Delta Plan and EIR
Resident of Lafayette	2/21/2011	First Staff Draft Delta Plan: I commend to you the comments of the State and Federal Contractors Water Agency dated January 28. When they say that “overbroad objectives for the content of the Delta Plan will undermine the process as well as the product”, they are correct. I also agree with their assertion that “section 85021 of the (Delta Reform) Act is inappropriately included in the NOP as providing definition to the Delta Plan’s objectives”. But I would also suggest that the preceding section, 85020, is also misinterpreted in both the NOP and the First Staff Draft. These two sections are very clearly stated to be the policy of the State and to be “inherent in the co-equal goals”, but they were not intended to be the primary basis for the Delta Plan. The specific directives regarding the content of the Delta Plan come later in Sections 85300-85309. In support of this interpretation I note that 85020(h) talks about establishing a new governance structure. You do not have to do that even though it is part of State policy. The legislature did that, and you are a key part of that new governance structure.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Resident of Lafayette	2/21/2011	First Staff Draft Delta Plan - Chapter 6: Tentative list of conservation measures...1. Restore sunken islands including Franks Tract, Mildred Island and Western Sherman Island as tidal marsh and/or tule marsh. 2. Work with the Bay Conservation and Development Commission (BCDC) and the existing landowners, who are primarily duck clubs, to convert the Suisun Marsh into tidal and sub-tidal wetlands 3. Encourage the growth of native vegetation on the water side of all Delta levees which will not only provide significant ecological benefits but also recreational and tourism benefits. At selected locations this vegetation may be extended into the existing waterways on berms, or up widened levees to create riparian habitat. 4. Preserve the tradition of agriculture in the Delta as much as possible while developing mechanisms to encourage agricultural interests to adopt habitat friendly agricultural practices such as those employed by The Nature Conservancy on Staten Island, providing benefits to wildlife, recreation and tourism. 5. Restore some measures of complexity to the Delta waterways by, in addition to creating more natural channel margins as discussed in (3) above, making use of both set-back levees and berms to create more natural slough geometries, and using rock barriers to create more dead-end waterways. 6. Convert additional lands to tidal marsh and sub-tidal habitat.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 3 **Comments Related to Development of Alternatives (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
Resident of Richmond, VA	2/17/2011	Please count my voice with all the Americans outside of California who would fight to see the Delta smelt and Chinook salmon survive rather than the asee the delta stripped of water to supply almond trees in a desert, or to let golf courses water their greens...The collapse of an ecosystem so grand is a great loss to all U.S. citizens, indeed to the world...I understand that, constitutionally, nature has no standing in our backward nation, built on hierarchies, but this understanding of the natural world is dead wrong and a hundred percent immoral. As the web of life is unwound, species go extinct, ecosystems collapse, life is extinguished, people starve, human culture is impoverished and made this world made unlivable. And while nature is not in the Constitution, we have a Bill of Rights entitling us to life. I consider all species, no matter how small to be life. I encourage you to set human greed aside and make the difficult mandates to clean up and return water flows to the treasure of the Delta.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin County	2/17/2011	I have stated previously in documents submitted to the DSC that one has to distinguish between the flood fight operation, attempts to prevent or contain the flood, and the other emergency functions such as evacuation and rescue. Different players, different issues, and different barriers to making fundamental beneficial changes to how they are managed. Flood fight operations must take a special place in our work since preventing a levee from failing, or effectively containing a flood, prevents the tragedy while good evacuation, rescue, or shelter operations only ameliorate the tragedy.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin County	2/17/2011	The Bold Vision for Future Delta Flood Fight Response: 1. Complete the Flood Contingency Maps and related Preliminary Engineering Designs for the entire Delta.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin County	2/17/2011	The Bold Vision for Future Delta Flood Fight Response: 2. All levels of government officially approve the maps and agree to agency/jurisdiction pre-assignments for general flood fight support missions and for implementing elements of identified response options to foreseeable levee failure scenarios.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin County	2/17/2011	The Bold Vision for Future Delta Flood Fight Response: 3. Establish local unified flood fight commands and the Delta multi-agency coordination group as legal entities through legislation or agreement that would give these unified commands legal authority and jurisdiction to respond to levees. Disaster claims can be processed through the unified command and not through each agency's budget and separate bureaucracies. This could be coordinated with FEMA to ensure this new entity meets regulatory requirements for response. All jurisdictions would supply the personnel to staff these commands. DWR, RDs, and/or County would provide unified commanders.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin County	2/17/2011	The Bold Vision for Future Delta Flood Fight Response: 4. Establish a Levee Emergency Response Fund that will empower local unified commands to act on levee problems at their level. This fund would be outside of agency budgets and thereby avoid internal budget quandaries. The fund would be initially established with Delta bond funds (probably less than 3% of the bonds). The fund would be maintained by putting FEMA disaster reimbursement from major disasters back in the fund. Shortages would be made up through a "5-year contribution plan" by all levels of government. Appropriate rules, etc. would be created.	This comment will be considered for preparation of the Delta Plan and EIR

Matrix 3 Comments Related to Development of Alternatives (2/5/11 - 3/18/11)

Association	Date	Comment	Status of Comment
San Joaquin County	2/17/2011	The Bold Vision for Future Delta Flood Fight Response: 5. Establish a Delta regional flood response authority independent of any one agency (through the Delta Protection Commission or independent JPA?) that would maintain regional plans, oversee administration of the Emergency Fund, and support the regional response systems (e.g. Delta MACS, the unified flood fight commands) when activated.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: We ask that you review these principles and consider developing your own to give your staff and consultants guidance on developing the Plan. 1. Create lasting statewide value, such as recommendations for infrastructure and environmental investments in accordance with Section 35302 of the Water Code that will support ecosystem improvement and water supply sufficiency and reliability consistent with the co-equal goals.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: We ask that you review these principles and consider developing your own to give your staff and consultants guidance on developing the Plan. 2. Recognize fiscal constraints and promote investment that prioritizes stability and economic growth. A more sufficient and reliable water supply is foundational. If public costs increases, so should tangible improvements in the environment and water supply. Total and regional economic burdens on the public must be carefully assessed.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: We ask that you review these principles and consider developing your own to give your staff and consultants guidance on developing the Plan. 3. Stay within the delineated legal authorities specified in the Delta Reform Act of 2009. Expanding the Council's scope will undermine its ability to achieve important accomplishments that are within its reach.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: We ask that you review these principles and consider developing your own to give your staff and consultants guidance on developing the Plan. 4. Do not expect the first Plan to resolve all issues affecting the Delta or address all management concerns that intersect with Delta issues. The 5-year updates to the Plan should build on the success of a solid first effort to further the co-equal goals and assess local actions aiding the co-equal goals. Let's not let "perfect" be the enemy of "good".	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: We ask that you review these principles and consider developing your own to give your staff and consultants guidance on developing the Plan. 5. In identifying issues outside the Delta that must be addressed for a successful Delta Plan, promote local responsibility and accountability. The Council has limited outside the Delta, and should avoid sounding paternalistic or dictatorial to locally elected government. Avoid broad prescriptions that don't account for local differences.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: We ask that you review these principles and consider developing your own to give your staff and consultants guidance on developing the Plan. 6. Create a system for measuring progress on the recommended actions that is consistent with the regular review and revision process of the Plan.	This comment will be considered for preparation of the Delta Plan and EIR

Matrix 3 **Comments Related to Development of Alternatives (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: We ask that you review these principles and consider developing your own to give your staff and consultants guidance on developing the Plan.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: a) Manage the Delta's water and environmental resources and the water resources of the state over the long term. Facilitate construction and operation of an isolated conveyance facility of 15,000 cfs capacity from the Sacramento River to South Delta pumping facilities. While water rights are the jurisdiction of the SWRCB, the Council should recommend plans that assure that sufficient water is transported by the facility to restore long term average export supply and be financially feasible.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: a) Manage the Delta's water and environmental resources and the water resources of the state over the long term. The SWRCB must assure that all Delta diversions occur consistent with verified water rights.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: a) Manage the Delta's water and environmental resources and the water resources of the state over the long term. Recognize SWRCB jurisdiction over flow measures and recommend that in balancing economic and environmental uses of water in support of flow decisions, the SWRCB must recognize the water rights priority system, area of origin rights, minimization of impacts to hydropower production, and economic reliance on water license decisions to date. Recommend that water users be compensated from general public sources, when such use is adversely impacted by flow regulation.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: a) Manage the Delta's water and environmental resources and the water resources of the state over the long term. Promote the development of additional surface water and groundwater storage to provide for improved flows and water supply reliability.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: a) Manage the Delta's water and environmental resources and the water resources of the state over the long term. Recommend the SWRCB and USGS develop a real-time diversion data telemetry system linked to water diversion permits to assure only legal diversion of water.	This comment will be considered for preparation of the Delta Plan and EIR

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Association	Date	Comment	Status of Comment
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: a) Manage the Delta's water and environmental resources and the water resources of the state over the long term. Make recommendations to streamline and reduce regulatory burdens for water transfers.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: a) Manage the Delta's water and environmental resources and the water resources of the state over the long term. Recommend the SWRCB combine the place of use for Central Valley and State Water Projects with appropriate third party protections.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: a) Manage the Delta's water and environmental resources and the water resources of the state over the long term. Recommend programs to provide incentives for increased water conservation, wastewater recycling, groundwater recharge, and desalination.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: a) Manage the Delta's water and environmental resources and the water resources of the state over the long term. Support regional plans to develop additional local water resources and advance self-sufficiency.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: a) Manage the Delta's water and environmental resources and the water resources of the state over the long term. An isolated facility will predominantly eliminate reverse flows in Old and Middle river, effectively ending entrainment of San Joaquin Valley salmonids, and insulate the California economy from virtually certain catastrophic failure of Delta levees. Improving the water quality of exports will allow greater use of recycled water, supporting efforts to reduce reliance on future water supplies coming from water transported through the Delta.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: a) Manage the Delta's water and environmental resources and the water resources of the state over the long term. Better collection and management of water diversion data compared against water rights permits will reduce illegal diversion of water.	This comment will be considered for preparation of the Delta Plan and EIR

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Association	Date	Comment	Status of Comment
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: a) Manage the Delta's water and environmental resources and the water resources of the state over the long term. Increasing water transfers will allow for improved water supply reliability without increased net water diversions.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: a) Manage the Delta's water and environmental resources and the water resources of the state over the long term. Combining the place of use for the CVP and SWP will allow for increased water transfer opportunities.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: a) Manage the Delta's water and environmental resources and the water resources of the state over the long term. Incentives for alternative resources can improve the economics of alternative resource development through local water resource plans.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: b) Protect and enhance the unique cultural, recreational and agricultural values of the California Delta as an evolving place: 1. Recommend the preparation of a strategic levee investment plan recognizing sea-level rise, relative levee vulnerability, critical infrastructure, high value agriculture and dense settlement. Make recommendations for the prioritization of levee investments. Promote the conversion of deeply subsided islands to peat restoration/carbon sequestration wetlands and/or allow for strategic abandonment of selected islands.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: b) Protect and enhance the unique cultural, recreational and agricultural values of the California Delta as an evolving place: 2. Coordinate jurisdictional agencies to improve levee failure emergency response capability, integrated with long-term strategic levee investment plan.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: b) Protect and enhance the unique cultural, recreational and agricultural values of the California Delta as an evolving place: 3. Coordinate jurisdictional agencies to integrate habitat restoration actions with expanded recreational uses. Levee rehabilitation should be focused on long-term sustainable uses and improve public access recreational opportunities.	This comment will be considered for preparation of the Delta Plan and EIR

Matrix 3 Comments Related to Development of Alternatives (2/5/11 - 3/18/11)

Association	Date	Comment	Status of Comment
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: b) Protect and enhance the unique cultural, recreational and agricultural values of the California Delta as an evolving place: 4. Provide for coordination of in-Delta flood control and levee investments with the Central Valley Flood Control Plan	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: b) Protect and enhance the unique cultural, recreational and agricultural values of the California Delta as an evolving place: The Delta Plan should recognize that sea level rise is occurring and will continue to occur, and will fundamentally change the geography of the Delta, eventually reclaiming deeply subsided islands...Improvement of levees should only occur where local land use values and investment can support the investment without public subsidy. Levee failure response planning should be based on the long term view of the strategic investment plan.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: c) Restore the Delta ecosystem, including its fisheries and wildlife, as the heart of a healthy estuary and wetland ecosystem: 1. Promote removal of excess nutrients and correction of nutrient imbalances through nutrient removal from the Sacramento County Regional Sanitation District wastewater treatment plant effluent and other municipal wastewater plants in the Delta watershed adversely affecting ammonia levels in the Delta.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: c) Restore the Delta ecosystem, including its fisheries and wildlife, as the heart of a healthy estuary and wetland ecosystem: 2. Coordinate jurisdictional agencies to provide for restoration of 20,000-80,000 acres of restored tidal and seasonal floodplain habitat.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: c) Restore the Delta ecosystem, including its fisheries and wildlife, as the heart of a healthy estuary and wetland ecosystem: 3. Coordinate Delta Plan ecosystem measures with upstream restoration programs in the Sacramento and San Joaquin Valleys.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: c) Restore the Delta ecosystem, including its fisheries and wildlife, as the heart of a healthy estuary and wetland ecosystem: 4. Based on life-cycle modeling studies, work with the fish agencies and stakeholders to address key factors limiting native fishery production and health.	This comment will be considered for preparation of the Delta Plan and EIR

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Association	Date	Comment	Status of Comment
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: c) Restore the Delta ecosystem, including its fisheries and wildlife, as the heart of a healthy estuary and wetland ecosystem: 5. Provide for a mark-select salmon fishery to allow for healthy commercial salmon fishery and healthy native salmon survival.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: c) Restore the Delta ecosystem, including its fisheries and wildlife, as the heart of a healthy estuary and wetland ecosystem: 6. Coordinate jurisdictional agencies to develop plans and implement actions to restore and enhance native fish species and reduce or extirpate non-native fish species, to the extent possible.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: c) Restore the Delta ecosystem, including its fisheries and wildlife, as the heart of a healthy estuary and wetland ecosystem: Life cycle models of individual species should be compared to discern patterns of important common ecosystem stressors for prioritized action.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: d) Promote statewide water conservation, water use efficiency and sustainable water use: 1. Provide incentives for increased water conservation, wastewater recycling, groundwater recharge and desalination.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: d) Promote statewide water conservation, water use efficiency and sustainable water use: 2. Recommend the SWRCB and water purveyors focus water conservation incentives on water savings otherwise lost to reuse, e.g., discharges to salt-sinks.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: d) Promote statewide water conservation, water use efficiency and sustainable water use: 3. Integrate current DWR 20-2020 water conservation program into the Delta Plan.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: d) Promote statewide water conservation, water use efficiency and sustainable water use: 4. Integrate recommendations of the forthcoming Technical Report on Efficient Water Management for Regional Sustainability in the Sacramento Valley into the Delta Plan.	This comment will be considered for preparation of the Delta Plan and EIR

Matrix 3 **Comments Related to Development of Alternatives (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: d) Promote statewide water conservation, water use efficiency and sustainable water use: The Delta Plan should build upon and support existing state policy to achieve the goals of the recent 2009 water legislative package by supporting efforts that develop local water resources and allow for reduced reliance on water transported through the Delta. Such incentives must be targeted where real basin-wide water savings are achieved.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: e) Improve water quality to protect human health and the environment consistent with achieving water quality objectives in the Delta: 1. Facilitate construction and operation of an isolated conveyance facility of 15,000 cfs capacity from the Sacramento River to South Delta pumping facilities. While water rights are the jurisdiction of the SWRCB, the Council should recommend plans that assure that sufficient water is transported by the facility to restore long term average export supply and be financially feasible.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: e) Improve water quality to protect human health and the environment consistent with achieving water quality objectives in the Delta: 2. Promote removal of excess nutrients and correction of nutrient imbalances through nutrient removal from the Sacramento County Regional Sanitation District wastewater treatment plant effluent and at other municipal wastewater plants in the Delta watershed adversely affecting ammonia levels in the Delta.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: e) Improve water quality to protect human health and the environment consistent with achieving water quality objectives in the Delta: 3. Coordinate jurisdictional agencies to continue monitoring fish for acute and chronic toxicity and effect controlling of significant toxicant sources.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: e) Improve water quality to protect human health and the environment consistent with achieving water quality objectives in the Delta: The single greatest measure that would improve drinking water statewide is the construction of an isolated facility to insulate public drinking water supplies from constituents that create difficult and expensive water treatment problems.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: e) Improve water quality to protect human health and the environment consistent with achieving water quality objectives in the Delta: Reduction of ammonium from wastewater discharge is fundamental to restoring an ecological system that supports pelagic fish. Further work is necessary to assure other sources of toxicity do not impair ecosystem restoration in the Delta.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: f) Improve the water conveyance system and expand statewide water storage: 1. Facilitate construction and operation of an isolated conveyance facility of 15,000 cfs capacity from the Sacramento River to South Delta pumping facilities. While water rights are the jurisdiction of the SWRCB, the Council should recommend plans that assure that sufficient water is transported by the facility to restore long term average export supply and be financially feasible.	This comment will be considered for preparation of the Delta Plan and EIR

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Association	Date	Comment	Status of Comment
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: f) Improve the water conveyance system and expand statewide water storage: 2. Support development of local partnerships among the State, USBR and local entities to evaluate and develop appropriate surface and groundwater storage investments.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: f) Improve the water conveyance system and expand statewide water storage: An isolated facility and increased statewide storage are necessary to reduce impacts of water diversion on environmental uses of water and provide for additional management capability for and increased amounts of environmental water flow.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: g) Reduce risks to people, property and state interests in the Delta by effective emergency preparedness, appropriate land uses and investments in flood protection: 1. Facilitate construction and operation of an isolated conveyance facility of 15,000 cfs capacity from the Sacramento River to South Delta pumping facilities. While water rights are the jurisdiction of the SWRCB, the Council should recommend plans that assure that sufficient water is transported by the facility to restore long term average export supply and be financially feasible.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: g) Reduce risks to people, property and state interests in the Delta by effective emergency preparedness, appropriate land uses and investments in flood protection: 2. Coordinate jurisdictional agencies to prepare a strategic levee investment plan recognizing sea-level rise, relative levee vulnerability, critical infrastructure, high value agriculture, and dense settlement. Recommend prioritized levee investment and conversion of deeply subsided islands to peat restoration/carbon sequestration wetlands and/or allow for strategic abandonment of selected islands.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: g) Reduce risks to people, property and state interests in the Delta by effective emergency preparedness, appropriate land uses and investments in flood protection: 3. Coordinate jurisdictional agencies to improve levee failure emergency response capability, integrated with long-term strategic levee investment plan.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: g) Reduce risks to people, property and state interests in the Delta by effective emergency preparedness, appropriate land uses and investments in flood protection: Over two-thirds of the California economy relies on water transported through the Delta. Insulating this economy from the effects of inevitable catastrophic levee failure is paramount.	This comment will be considered for preparation of the Delta Plan and EIR

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Association	Date	Comment	Status of Comment
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: g) Reduce risks to people, property and state interests in the Delta by effective emergency preparedness, appropriate land uses and investments in flood protection: An integrated strategic levee investment, flood control, habitat restoration, and economic development plan needs to recognize the inexorably evolving nature of the Delta landscape that will not allow for current land uses to be sustained.	This comment will be considered for preparation of the Delta Plan and EIR
San Joaquin River Group Authority and State and Federal Contractors Water Agency	3/3/2011	First Staff Draft Delta Plan: Establish a new governance structure with the authority, responsibility, accountability, scientific support and adequate and secure funding to achieve these objectives: 1. Through the Sacramento-San Joaquin Delta Reform Act, the Legislature took the first steps in modifying the Governance Structure for the Delta. The Council should explain its expectations of the Delta Plan, specifically, how the plan will enhance decision making, coordination and accountability. Limitations on these expectations can be noted and identified. Where the Council believes new or enhanced authority or responsibility for existing organizations or reformed organizations is appropriate beyond that now afforded in law, it should make recommendations accordingly.	This comment will be considered for preparation of the Delta Plan and EIR
Solano County	3/10/2011	First Staff Draft Delta Plan: ...we believe this process needs to move forward in a slower, more deliberate fashion. It also needs to be truly inclusive of all interests, and not be driven by a powerful few with greater resources to commit to this process. Thorough and objective peer-reviewed science must be the basis for all plan provisions. Expedience to meet artificial statutory deadlines or to appease various interests must be tempered for the sake of public policy that is fair and comprehensive.	This comment will be considered for preparation of the Delta Plan and EIR
Solano County	3/10/2011	First Staff Draft Delta Plan: At this stage of Delta Plan preparation, it seems significant issues are still being analyzed. Paramount is the conveyance system...The County...does have concerns that any system implemented maintains adequate flows to meet the needs of local water users with no impacts on existing allocations. We also want to ensure that sufficient flows are provided so as to prevent salinity intrusion further into the Delta, adhering to protections required by the Suisun Marsh Plan. A scenario of particular concern to the County is reduced flows through the Delta rendering the existing and contemplated habitat restoration efforts in the Bay Delta ineffective in achieving their intended purpose. In essence, there is a risk of considerable disruption of very productive and sustainable agricultural activities for no good purpose in the end.	This comment will be considered for preparation of the Delta Plan and EIR
Solano County	3/10/2011	First Staff Draft Delta Plan: The current draft reveals very little, if any, consideration of local concerns. It is our belief that partnerships with local entities will be essential if the plan is to achieve any of its intended purpose. Habitat restoration is a case in point. If it is carried out piecemeal, it is highly unlikely viable agricultural activities within a targeted area will be able to successfully coexist. We also believe levee maintenance could be compromised. Critical components to agricultural operations such as access, support infrastructure, and reasonable and responsible operational controls, are also likely to be negatively impacted by piecemeal habitat project implementation...Solano County strongly believes the Delta Plan can proactively address this issue through inclusion of a clearly defined and structured consultation process with counties and other local entities impacted by implementation of components of the Delta Plan.	This comment will be considered for preparation of the Delta Plan and EIR

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Association	Date	Comment	Status of Comment
Solano County	3/10/2011	First Staff Draft Delta Plan: Economic impacts of land conversions-Creation of new habitat lands could have local adverse economic impacts such as lost property taxes and assessments, third party impacts and direct costs (such as mosquito abatement, law enforcement and rescue) and potentially irreversible economic impacts to the existing regional communities that are dependent on agriculture as their life blood for existence. To mitigate these impacts, the following actions should be considered: o Support for economic mitigation o Adequate funding to ensure the economic sustainability of Delta communities o Payment for third party impacts o In-lieu of payments for property tax revenues lost as a result of conversion of productive private lands to public ownership o Full mitigation for the loss of agricultural land that will be taken out of production o Fiscal support to manage impacts of habitat restoration over the long term.	This comment will be considered for preparation of the Delta Plan and EIR
Solano County	3/10/2011	First Staff Draft Delta Plan: Urban and Ag Runoff/Discharges-the establishment of habitat projects in Restoration Opportunity Areas is expected to result in increased fish populations, many of which will be Endangered Species Act/California Endangered Species Act (ESA/CESA) listed. This may result in increased regulation of runoff and discharge from areas that drain into Restoration Opportunity Areas (ROAs). Legal/legislative relief will be necessary to ensure that agricultural and water operations are not impeded; including municipal and agricultural intakes.	This comment will be considered for preparation of the Delta Plan and EIR
Solano County	3/10/2011	First Staff Draft Delta Plan: Endangered Species Act-Agricultural diversions in the ROA's could be required to modify operations, be screened or consolidated due to concern of their impact to endangered species, at great expense to the diverters who are mostly private landowners (with some public agencies). To address these impacts, the following actions should be considered: o Obtain "safe harbor" coverage for incidental hann to aquatic endangered species for individual agricultural water diverters in the Cache Slough area in the Bay Delta Conservation Plan. o Provide funding for fish screens on agricultural diversions if required, as was done for "San Joaquin River Settlement.	This comment will be considered for preparation of the Delta Plan and EIR
Solano County	3/10/2011	First Staff Draft Delta Plan: Levee Maintenance--Provide funding for levee maintenance and improvements in the short and long term (based on the use of broad based fees). Specifically analyze impact of Ecosystem Restoration projects on flood management and totally fund measures to mitigate increased risk.	This comment will be considered for preparation of the Delta Plan and EIR
Solano County	3/10/2011	First Staff Draft Delta Plan: Local Government Impacts--Ensure the flood control system is not compromised by the state or federal government to facilitate conveyance or habitat development and recognize that some of these efforts will impose potential hefty regulatory impacts on local government that should be mitigated in coordination with the local government.	This comment will be considered for preparation of the Delta Plan and EIR
Solano County	3/10/2011	First Staff Draft Delta Plan: Ensure that local government resources are protected. o Local governments need to be held harmless with good neighbor agreements. o Delta Counties and municipalities and local special districts should not be harmed in this process-Delta Counties (including communities) need to be protected from further erosion loss.	This comment will be considered for preparation of the Delta Plan and EIR

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Association	Date	Comment	Status of Comment
Solano County	3/10/2011	First Staff Draft Delta Plan - Chapter 1: The co-equal goals are to be pursued in a way that "protects and enhances the unique cultural, recreational, natural resources, and agricultural values of the Delta as an evolving place." What steps are being taken to ensure that this part of the co-equal goals are more than just eloquent policy but activate a basis for long-term policy that provides protections for Delta communities?	This comment will be considered for preparation of the Delta Plan
Solano County	3/10/2011	First Staff Draft Delta Plan - Chapter 1: Chapter 1 says that the Delta Plan will be successful if it allows California to move forward on the key statewide concerns, while recognizing the uniqueness of the Delta and Suisun Marsh. Solano County believes that the success of the Delta Plan includes providing protections and recommends that the words at the top of page 1-2 be changed as follows, " ... California to move forward on the key statewide concerns, it must preserve, protect and mitigate for impacts of plan implementation to the Delta and Suisun Marsh, thus recognizing the uniqueness and ecological, historic and economic importance of these areas."	This comment will be considered for preparation of the Delta Plan
Solano County	3/10/2011	First Staff Draft Delta Plan - Chapter 1: On page 1-6 of Chapter 1, three bullets list items that should be considered for the Delta Plan. The last bullet states that "California state government cannot guarantee the Delta will be free from threats of flood, earthquake, or other natural disasters." What is the secondary plan if and when any of these events happen? If the state is ultimately responsible to respond to such events, how can it prepare itself now to address unplanned future events?	This comment will be considered for preparation of the Delta Plan
Solano County	3/10/2011	First Staff Draft Delta Plan - Chapter 3: A discussion of financing the coequal goals should include secure sustainable funding outside of the State General Fund process so dedicated resources cannot be diverted to handle other issues.	This comment will be considered for preparation of the Delta Plan
Solano County	3/10/2011	First Staff Draft Delta Plan - Chapter 4: Although the concept of adaptive management appears to have many benefits, how beneficial can it be if changes have unintended consequences and are irreversible? It seems reasonable that changes would best be made in moderate, reversible increments. Additionally, for this process to be effective, adequate funding in perpetuity must exist before changes are system changes are made. Solano County recommends that any funding source be created to exist outside the General Fund process so dedicated resources cannot be diverted to address other issues.	This comment will be considered for preparation of the Delta Plan
Solano County	3/10/2011	First Staff Draft Delta Plan - Chapter 4: On page 4 of this chapter it discusses the five steps of the plan part of the adaptive management process. Yet, there is no public process incorporated into this model that allow for issues to be raised in lay terms and discussed in ways that elected officials and members of the community can understand.	This comment will be considered for preparation of the Delta Plan
Solano County	3/10/2011	First Staff Draft Delta Plan - Chapter 5: Water transfers should be clearly defined with examples provided of various kinds of transfers and why these work or create problems.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 3 **Comments Related to Development of Alternatives (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
Solano County	3/10/2011	First Staff Draft Delta Plan - Chapter 6: In the Restore or Protect Habitat Section it states that "Suisun Marsh, while mainly seasonal managed wetlands, is lacking natural habitat diversity." Is this really true? Based on 11 year Suisun Marsh charter planning process just concluded, this is demonstrably false. What is the basis for this statement?	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Solano County	3/10/2011	First Staff Draft Delta Plan - Chapter 6: The finding regarding a lack of current scientific infrastructure and expertise to support the science and adaptive management needed for successful ecosystem restoration and suggests a specific governance structure is necessary to support this effort. Existing governance structures should be reconfigured to address any concerns in this area. It will be important to ensure that exporters are not given responsibility to police themselves.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Solano County	3/10/2011	First Staff Draft Delta Plan - Chapter 6: Suggest adding the following item to "Working Categories of Potential Policies and Recommendations: • Protecting Delta communities and business interests.	This comment will be considered for preparation of the Delta Plan
Solano County	3/10/2011	First Staff Draft Delta Plan - Chapter 8: The findings related to emergency preparedness should include any linkages to Bay Area plans such as the Suisun Marsh Protection Act/Plan, Bay Area UASI, ABAG, and Bay Conservation and Development Commission (BCDC) and their communities.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 4 **Comments Related to Water Resources (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan: Second, it is incumbent on the Delta Stewardship Council to define "water supply reliability."..Please refer to our previous submission for recommendations as to the appropriate definition.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan: The plan will be deficient if it does not deal with Environmental Justice considerations. The enabling legislation for the Delta Stewardship Council specifically calls for "... providing a reliable water supply for California ..." Yet nowhere in this first draft is there any indication of the need to provide drinkable water, especially to disadvantaged communities...It is appropriate for the Delta Plan to consider the needs of agriculture in the place of use for Delta waters; it would be unconscionable to ignore the needs of disadvantaged communities in those same areas.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Cover Letter: CALIFORNIA'S TOTAL WATER SUPPLY IS OVERSUBSCRIBED. CALIFORNIA REGULARLY USES MORE WATER ANNUALLY THAN IS PROVIDED BY NATURE. Response: We totally concur with these statements.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Cover Letter: CALIFORNIA'S WATER SUPPLY IS INCREASINGLY VOLATILE. Response: This is another finding that we agree with and which is becoming more apparent with each passing year.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: CALIFORNIA'S TOTAL WATER SUPPLY IS FINITE. Response: Significant changes are needed in how water is managed. These changes include: · Adapting to the obvious water supply limits that confront us, including reducing water exports from the Bay Delta; · Understanding that healthy aquatic environments, while representing far more than economic value, are also worth billions of dollars to our economy. · Evaluation of full implementation of the Delta Flow Criteria as adopted by the State Water Resources Control Board in August of 2010 as one of the alternatives to be considered for all future environmental impact reports related to Delta water. · Utilization of the SWRCB Delta Flow Criteria in establishing a level of flows that protect public trust resources of the Delta. · In keeping with the first key finding in the cover letter ("water supply is oversubscribed"), the DSC should develop a plan to bring CVP and SWP contract amounts in line with historic firm yields and eliminate "paper water."	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 4 **Comments Related to Water Resources (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: CALIFORNIA'S WATER INFRASTRUCTURE IS INCREASINGLY VULNERABLE TO EXTERNAL FACTORS SUCH AS CLIMATE CHANGE. Response: We agree.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: THE CONSTITUTION OF CALIFORNIA REQUIRES THAT WATER BE USED FOR BENEFICIAL PURPOSES, THAT WATER BE USED REASONABLY, AND THAT NO WASTING OF WATER SHALL OCCUR. Response: We agree.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: CALIFORNIA'S WATER SUPPLY IS PROVIDED BY LOCAL, REGIONAL, STATE AND FEDERAL DAMS, RESERVOIRS AND CONVEYANCE SYSTEMS. HOWEVER, IMPROVED REGIONAL WATER SUPPLY SELF-RELIANCE IS ONE OF THE MAJOR WAYS WE CAN MEET OUR COEQUAL GOALS OVER THE COMING DECADES. Response: Regional water supply self-reliance is the existing law. Relying on the resources of another region of California before making maximum use of local supplies puts supply reliability at great risk. The Delta Plan should mandate agricultural and urban compliance with existing law and reduce exports from the Delta watershed, thereby responding to its statutory requirements to preserve the Delta and make water supplies more reliable. The current unrealistic expectations should be removed and existing supply made reliable by realigning all water supply contracts to reflect the actual supply available. Water rights permits must be based on actual known available water supplies.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: SURFACE AND GROUNDWATER SUPPLIES WILL ONLY BE RELIABLE ON A LONG-TERM BASIS IF GROUNDWATER OVERDRAFT IS ELIMINATED. Response: We agree with this finding. There are three ways to deal with this overdraft. The first is to further overdraft Delta waters to temporarily prop up those largely San Joaquin Valley uses, including the irrigation of drainage contaminating areas. The second is to overdraft currently healthy Northern California groundwater (directly or indirectly) and ship that water to the San Joaquin Valley. The third approach is to either intentionally or unintentionally see agricultural water usage in the San Joaquin Valley change.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 4 **Comments Related to Water Resources (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: URBAN RESIDENTIAL WATER USE HAS NOT DECLINED FOR THE PAST 40 YEARS. AGRICULTURAL WATER USE HAS CONTINUED TO BE AT THE SAME STATEWIDE LEVEL OF APPROXIMATELY 33-34 MAF PER YEAR FOR MANY YEARS. WHAT REMAINS OF THE AVAILABLE WATER SUPPLY IS OFTEN CALLED ENVIRONMENTAL WATER. WITH POPULATION GROWTH AND LITTLE CHANGE IN WATER EFFICIENCY, CALIFORNIA'S WATER DEMANDS WILL CONTINUE TO INCREASE. Response: We do not agree with this finding. As your finding indicates agriculture water use is not growing. The 2009 State Water Plan Update projects agricultural water use to actually decrease. There is a wealth of best available science identifying how water demands can actually be reduced by millions of acre-feet annually through water use efficiency. In addition there are opportunities to develop millions of acre feet of sustainable water supplies through local stormwater capture, ground water cleanup, floodplain storage and brackish water desalination.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: WATER CONSERVATION IN ALL SECTORS CAN BE SIGNIFICANTLY IMPROVED. Response: Multiple studies conducted over the last decade show that a suite of aggressive conservation and water efficiency actions would reduce overall demand with cost-effective and existing technology. These measures will handle California's water needs well into the foreseeable future and will do so at far less financial and environmental cost than constructing more storage dams and reservoirs. The measures include: · Establish a statewide oversight unit responsible for coordinating and monitoring accomplishment of enhanced conservation targets. · Reduce average per capita urban water use to less than 100 gallons per day, with steeply tiered rates beyond that rate of consumption. · Require implementation of specific water use reduction targets by agricultural water users. · Implement statewide mandatory multiple tiered conservation rate structures as part of Urban Best Management Practices. · Reform the current water rights systems, to comply with state constitutional provisions related to unreasonable use of water, beneficial use of water, use-efficiency, and the public trust doctrine. · Reinstate the urban preference and the public ownership of the Kern Water Bank in order to meet the needs of southern California cities.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 4 **Comments Related to Water Resources (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: REUSE OF WATER, RECYCLING, GROUNDWATER MANAGEMENT, STORMWATER CAPTURE, TREATMENT AND REUSE OF IMPAIRED WATERS, SEA WATER DESALTING IS VITAL TO IMPROVING THE OVERALL RELIABILITY OF CALIFORNIA'S WATER SUPPLIES, BUT IS NOT LIKELY TO BE A MAJOR FACTOR FOR SEVERAL DECADES OR MORE. Response: Two aspects of this finding are incorrect. First, many of these sustainable strategies CAN BE, HAVE BEEN AND ARE being implemented just as fast as resources allow. A check with the Department of Water Resources and major water agencies will identify how much is already being conserved (likely well over 1 million acre feet of water annually). The Bureau of Reclamation, particularly the Colorado River Region Office, and the WaterReuse Association can provide lists and capacities of water recycling projects that can be implemented in the near to mid term. Large numbers of these projects can and will be implemented far before any changes in Delta conveyance (which will not themselves increase water supply) are actually implemented. Secondly, sea water desalination, particularly using open sea water intakes, is not currently an environmentally sustainable water source. Best available science has documented its high toll on sea life resulting from intake entrapment and entrainment. In addition, with currently available technology it is the most energy and green house gas intensive method possible for providing water – most of which would be used for nonpotable purposes. By contrast brackish water desalination is a viable source because it entirely avoids the sea life deaths caused by entrapment and entrainment and it uses far less energy due to significantly less salinity of the source water.\	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: MANY OF CALIFORNIA'S WATER SUPPLY FACILITIES WERE INITIALLY PLANNED AND DESIGNED BASED ON CONDITIONS IN THE LATE 1800'S AND EARLY 1900'S, AND FACILITIES MAY REQUIRE MAJOR REPAIRS DUE TO AGE. Response: We concur with this finding.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: STATE WATER PROJECT LONG-TERM AVERAGE WATER DELIVERY RELIABILITY HAS DECLINED SUBSTANTIALY IN THE PAST SEVEN YEARS. Response: Nothing has changed in the last seven years to reduce long term water delivery reliability except the enforcement of laws that have been on the books for many years. The projects (CVP-SWP) have over-appropriated water from the Delta watershed.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 4 **Comments Related to Water Resources (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: STORAGE CAPACITY MUST BE INCREASED AND RESERVOIR OPERATIONS MODIFIED TO IMPROVE WATER SUPPLY RELIABILITY. Response: Storage capacity upstream of the Delta cannot be usefully or economically increased. The good locations have already had dams built upon them, and rivers and streams leading into the Delta are over-appropriated now...Present reservoir operations upstream of the Delta need to be changed to store less water in winter and spring months and to decrease deliveries during the dry part of the year to reestablish ecologic conditions that could recover species in the Delta and the Delta watershed. In addition "forecast based releases" for existing flood control dams can actually increase flood protection and result in some incremental increase in effective storage. However there is no scientific evidence that could rationally lead to a conclusion that more surface storage could help either the water supply or the environment. Artificial recharge of groundwater basins in the San Joaquin Valley should only occur in basins that have been damaged or disconnected from surface waters. Healthy, connected groundwater basins must be preserved to support existing communities, orchards, streams, terrestrial habitat and dependent species. One potential exception is storage in a portion of the Tulare Lake Bed. Because CALFED ignored this possibility there is no available analysis to determine whether it could actually have water supply and ecosystem benefits. This analysis needs to be accomplished.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: CONVEYANCE MUST BE CHANGED AND RE-OPERATED TO IMPROVE WATER SUPPLY RELIABILITY. Response: The last sentence in this finding is correct as far as it goes, "In order to do this, it will be necessary to establish clear and enforceable criteria and constraints for Delta operations." However this plan should be more forthcoming in describing how difficult it is to establish clear criteria and constraints that would actually be enforced...To provide effective guidance to the Bay Delta Conservation Plan, the Delta Plan should specifically call for environmental, engineering, financial and economic analyses, at an equal level of detail, for facility capacities from 3,000 c.f.s. to 15,000 c.f.s. as well as alternatives that would utilize existing conveyance without new major conveyance facilities.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: LOCAL STORAGE PROGRAMS CAN IMPROVE CAPTURE AND SUBSEQUENT USE OF STORMWATER FLOWS, AND POSSIBLY DRY WEATHER RUNOFF, TO INCREASE WATER SUPPLIES. Response: We agree with this finding and look to the Council for a practical program to achieve improvement in using these tools for reliability improvements.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: MANY LOCAL, REGIONAL, STATE, AND FEDERAL AGENCIES AND ORGANIZATIONS COLLECT WATER DATA, BUT USE DIFFERING METHODOLOGIES AND LEVELS OF DETAIL WHICH SEVERELY LIMITS THE USEFULNESS OF THE INFORMATION. OR LAND OWNERSHIP PATTERNS. Response: We agree, and look forward to your recommendations.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 4 Comments Related to Water Resources (2/5/11 - 3/18/11)

Association	Date	Comment	Status of Comment
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 5: TO BETTER UNDERSTAND AND TRACK THE WAYS WATER IS USED IN THE URBAN, AGRICULTURAL AND THE ENVIRONMENTAL SECTORS, A RIGOROUS MANADATROY STATEWIDE WATER DATA COLLECTION AND ANALYSIS PROGRAM IS NEEDED. Response: We agree, and look forward to your recommendations.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Endangered Species Coalition	2/15/2011	I wanted to give you this link to a Sac Bee Op-Ed by Peter Gleick at the Pacific Institute. You may have seen it back in January, but I thought it appropriate in the context of the meetings to discuss the draft next week at your meetings. Peter discusses the importance of storage during high water years, but not as surface storage, but via groundwater recharge. It is something we made as a recommendation in our document submitted in Stockton. Here's the link: http://www.pacinst.org/publications/essays_and_opinion/state_needs_more_water_storage.html	This comment will be considered for preparation of the Delta Plan and EIR
Resident of Dixon	2/24/2011	A reliable water supply for which part of California, for what purpose, one might ask. When reports are read of so called "farmers", i.e. agribusiness, selling water obtained for farming at unconscionable profits to support ill planned development elsewhere, one wonders just how this meets the test of "coequal". When one reads of alternate potential water sources being ignored in the planning of development on lands otherwise unable to support growth, one questions motivation along with ethics of those involved.	This comment will be considered for preparation of the Delta Plan and EIR
Resident of Dixon	2/24/2011	Meanwhile, the First Draft Delta Plan pays little attention to the most assured, as well as probable, effects of diversion of huge quantities of water from the Sacramento River on surrounding agriculture in Sacramento, Yolo and Solano Counties. Clearly, agriculture, as well as terrestrial habitat, along the river will suffer as salinity from seawater moves upstream. The degree to which such salinity will also contaminate aquifers is not addressed, but certainly a likelihood. Related climatic effects will further impede area agriculture.	This comment will be considered for preparation of the Delta Plan and EIR
Rossmann and Moore	2/28/2011	First Staff Draft Delta Plan: 3-4. Definitions, which omit reliability. Please make clear that reliability means determining a level and schedule of water extractions that is sustainable during multiple dry years. (Compare that language in SBs 901, 601, 221.) It does NOT mean increasing exports from the Delta.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Rossmann and Moore	2/28/2011	First Staff Draft Delta Plan: 5-3. "the constitutional public trust doctrine." In every other place you got it right, as the Legislature ultimately did in 2009: reasonable and beneficial use is in the Constitution; public trust (except as to submerged lands, NOT water) is not. But here on 5-3 the quoted portion emerged uncorrected.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 4 Comments Related to Water Resources (2/5/11 - 3/18/11)

Association	Date	Comment	Status of Comment
Rossmann and Moore	2/28/2011	First Staff Draft Delta Plan: 5-4. per capita water use in urban areas essentially the same for 40 years. How does one define "urban areas"? Perhaps a more encouraging mark is that LA now uses less than in 1977, when we got the Inyo injunction, than now with 30 percent more people. The heading "urban residential water use not declined for past 40 years" perhaps unfair or at least sufficiently unspecific. Need to distinguish areas where per capita use has declined from those where not.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Rossmann and Moore	2/28/2011	First Staff Draft Delta Plan: 5-5. storage downstream of the Delta. Good idea. How about starting with State reassertion of its interest in Kern Water Bank? In the PCL settlement discussions and comment on the latest DWR EIR, still like the underlying decision under challenge in Sacto Superior Court, we proposed a true public JPA...	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Rossmann and Moore	2/28/2011	First Staff Draft Delta Plan: Related, how about recommending DWR declare the SWP in permanent shortage, with percent of shortage reflecting the reliability that will result from your ultimate recommendations spelled out...	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Solano County	3/10/2011	At this stage of Delta Plan preparation, it seems significant issues are still being analyzed. Paramount is the conveyance system...The County...does have concerns that any system implemented maintains adequate flows to meet the needs of local water users with no impacts on existing allocations. We also want to ensure that sufficient flows are provided so as to prevent salinity intrusion further into the Delta, adhering to protections required by the Suisun Marsh Plan. A scenario of particular concern to the County is reduced flows through the Delta rendering the existing and contemplated habitat restoration efforts in the Bay Delta ineffective in achieving their intended purpose. In essence, there is a risk of considerable disruption of very productive and sustainable agricultural activities for no good purpose in the end.	This comment will be considered for preparation of the Delta Plan and EIR

Matrix 5 Comments Related to Risk Reduction (2/5/11 - 3/18/11)

Association	Date	Comment	Status of Comment
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Cover Letter: THERE IS NO COMPREHENSIVE STATE OR REGIONAL EMERGENCY RESPONSE PLAN FOR THE DELTA. Response: This statement is not wholly correct and we provide further comments as a part of our response in Chapter 8.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 8: THERE IS NO STATE EMERGENCY RESPONSE PLAN FOR THE DELTA. Response: It is not quite correct to state that there is no State Emergency Response Plan for the Delta. California has a Flood Control Center that has been operating for years. It responds to flood fights with technical assistance and manpower throughout California, including the Delta. Under DWR's Levee Subvention Program, a certain amount of money has been allocated for sandbags and other materials for flood fighting. The State itself, through CAL EMA has a very comprehensive structure for responding to all emergencies - flood, fire, earthquake. It organizes into area-wide command centers with pooled resources of the Army Corps, county Office of Emergency Services, county sheriffs, DWR and reclamation districts all working together when there is a flood emergency. However, we agree that there is room for improvement. We disagree that no individual county has completed a delta-specific emergency response plan. San Joaquin County, with few resources from the State and federal governments, has developed a comprehensive emergency response plan that can be used for a Delta flood emergency. It includes flood contingency maps, flood fight stockpiles, urban evacuation maps, equipment acquisitions, a unified flood fight command response structure and other actions.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 8: SUBSIDED DELTA ISLANDS ARE AT THE HIGHEST RISK OF FLOODING AND ARE LIKELY TO SUCCEED TO FLOOD OVER THE COMING DECADES. Response: There has been tremendous subsidence of Delta islands since they were first constructed. Organic soil was originally spread throughout the Delta, but it was relatively shallow and has subsequently been largely oxidized or burned to the point that subsidence is not active on most Delta islands. LIDAR surveys indicate that few Delta areas are actively subsiding. Surveys and geotechnical evaluations show that subsidence rarely occurs close enough to levees to pose a significant risk. A "toe berm" design on existing levees can provide adequate protection. Source: Delta Engineers' letter to Senator Lois Wolk (August 4, 2009).	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 5 Comments Related to Risk Reduction (2/5/11 - 3/18/11)

Association	Date	Comment	Status of Comment
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 8: DELTA LEVEES ARE ALSO THREATENED BY EARTHQUAKES. Response: We agree that Delta levees are threatened by earthquakes and that more should be done to reduce that risk. However we do not agree with the language in the Draft Delta Plan which overstates the risk of earthquake hazards and susceptibility. Based on the Delta Risk Management Strategy, the flood risk to Sherman Island, the capstone of Delta water quality is 5-7% (mean annual frequency), compared to an earthquake risk of 3-5% (mean annual frequency). The Delta Engineers' letter to Senator Lois Wolk (August 4, 2009) states numerous times that 21 years of DWR's Delta Levees Program has significantly reduced the vulnerability of Delta levees to failure. We know of no known Delta levee failure due to earthquakes.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 8: LEVEE SAFETY STATUS QUO IS UNACCEPTABLE. Response: We agree that improvements are needed, but we disagree that Delta levee safety is as stark as it is painted in the draft Delta Plan. The Delta Engineers' letter states that an acceptable level of protection (P.L. 84-99 and State Bulletin 192-82) can be met for a cost of \$1 billion. Furthermore, they indicate that nearly all non-project levees could be brought up to the agricultural standards with existing Proposition 84 and 1E bond funds combined with local cost sharing requirements.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 8: SETBACK LEVEES PROVIDE MULTIPLE BENEFITS. Response: We agree. However, to construct a setback levee in the Delta lowlands is a monumental task because it moves the levee away from existing foundations that have been consolidated since the early levees were first built. Constructing setback levees in the upper reaches of the Delta where drainage is better than in the lowlands is much more feasible.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 8: CLIMATE CHANGE THREATENS IMPORTANT INFRASTRUCTURE IN THE DELTA. Response: We agree that climate change can threaten infrastructure, but we believe that the Draft Delta Plan overstates the problem. Sea level rise occurs at a slow pace and a consistent, long-term maintenance program would enable levee systems to be upgraded to keep up with sea level rise. According to the Delta Engineers' letter, if current Delta levees are brought up to existing P.L. 84-99 and State Bulletin 192-82 standards there is already adequate annual maintenance funding from levee districts to upgrade levees over time to meet projected sea level rise.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board

Matrix 5 **Comments Related to Risk Reduction (2/5/11 - 3/18/11)**

Association	Date	Comment	Status of Comment
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 9: LEVEE CONSTRUCTION AND CONVENTIONAL AGRICULTURAL PRACTICES HAVE RESULTED IN SUBSIDENCE ON DELTA ISLANDS. Response: Delta engineers via responses to the DREAMS study, and in response to Delta Vision, and in 2009 reports to Senator Lois Wolk, have repeatedly affirmed that subsidence is not continuing to occur on much of the Delta's land surface. According to local engineering estimates, of the islands marked as subsiding on the Dreams report, about 10% of their total land mass shows current subsidence. The majority of Delta subsidence occurred during the first half of the last century, and many areas of land have become packed and are simply not subsiding at the same rate as in the past. In addition, Delta farmers have moved and continue to move toward sustainable cultivation practices in order to conserve soil levels. During the recommendation process, sustainable agricultural practices and promotion of crops that contribute to the addition, or building up of land mass, should be emphasized. DSC staff should look into rice studies conducted by the San Joaquin County Ag Extension program conducted on various Delta islands over the last four years. In these studies, land mass increased through rice farming. Work has also been done on the cultivation of grapes as a tool to manage soil subsidence. A governance tool for managing and reversing subsidence is the creation and promotion of agricultural programs that conserve and help to build soil levels in the Delta.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Coalition of Environmental, Environmental Justice and Fishing Organizations	2/24/2011	First Staff Draft Delta Plan - Chapter 9: RISKS TO THE DELTA MUST BE REDUCED TO ALLOW FOR ITS EVOLUTION, PROTECTION, AND ENHANCEMENT. Response: Climate change will lead to increases in the flood threat, varied with decreased flows and sea level rise. These are events for which planning must be completed. New resulting infrastructure will lead to changes in levee construction and flow management in an adaptive management scheme. Such Delta planning, however, cannot take place in a vacuum. Decisions will need to be made regarding the sustainability and management of the San Francisco Bay. These policy decisions regarding the San Francisco Bay will have a direct impact on Delta climate change management plans and will need to be integrated into implementation of the Delta Plan. We suggest changing the finding to read: "Risks to the Delta and its watersheds....."	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
Resident of Lafayette	2/10/2011	I am one of the most severe critics of DRMS, in spite of the fact that the co-PI's are both friends – because it was schedule driven and had huge data gaps that were drawn to DWR's attention but never filled, the numerical results from DRMS should not be used – however, to provide USGS with a platform to trash DRMS was wrong.	This comment will be considered for preparation of the Delta Plan and EIR

Matrix 5 Comments Related to Risk Reduction (2/5/11 - 3/18/11)

Association	Date	Comment	Status of Comment
Resident of Lafayette	2/10/2011	I happen to be very familiar with Christchurch, New Zealand...The levees that deformed or "failed" there sat directly on top of very recent and loose sand deposits. The natural sand deposits that some people worry about liquefying in the Delta are under the peat and thus much older – but perhaps I am getting too technical. Joe's Fletcher citing of amplifications of ground motion by a factor of 40 in the Mexico City earthquake was pure scare tactics. We know why such amplifications occurred in Mexico City and why they will not happen in the Delta. The fields of study of the effects of soils on ground motions, like the response of levees to earthquake shaking, is part of geotechnical engineering, and wiser geologists acknowledge this.	This comment will be considered for preparation of the Delta Plan and EIR
Resident of Lafayette	2/10/2011	...as a first, logical step, DRMS used firm soil attenuation relationships, but then in a second step they conducted both equivalent linear and nonlinear analyses of the response of the local soil conditions and levees. It may well be true that the activity of the Greenville fault may now be thought to be greater than it was even a few years back, but that still does not make a dramatic difference to the seismic hazard in the Delta	This comment will be considered for preparation of the Delta Plan and EIR
Resident of Lafayette	2/10/2011	It is true that DWR has been slow to develop procedures for analyzing the earthquake hazard to levees and in drawing up standards, but the DWR Urban Levee Evaluation includes consideration of earthquake shaking and so does the recently released 4th draft of the DWR Interim Levee Design Criteria. While specifically for urban levees, these criteria address what are called "non-intermittent" levees, i.e. Delta levees and constitute a useful step towards developing appropriate standards for Delta levees.	This comment will be considered for preparation of the Delta Plan and EIR
Resident of Lafayette	2/10/2011	A Layperson's Guide to Weighting Expert Opinion...in approximate order of importance, give more weight to the opinions of those experts: 1. Who have formal qualifications and are licensed to practice in the field in question...2. Who have practical experience not only in the field in question but in the relevant geographic area...3. Who have superior academic qualifications. All other things being equal, higher degrees count...4. Who are not trying to dredge up additional research funding by grandstanding and making problems appear to be worse than they really are. 5. Who demonstrate some measure of humility rather than hubris.	This comment will be considered for preparation of the Delta Plan and EIR

Matrix 5 Comments Related to Risk Reduction (2/5/11 - 3/18/11)

Association	Date	Comment	Status of Comment
Resident of Lafayette	2/10/2011	An Outline of a Rational Policy for Delta Levees...The historic Delta has been modified by the creation of islands surrounded by levees. The following points assume that this configuration will be largely preserved, partly to protect the existing infrastructure, including water conveyance, and partly to maintain the Delta as a Place...Restoration of some measure of complexity to the Delta waterways is desirable but this can best be accomplished by recovering the sunken islands, not as farmed islands but as tidal wetlands, by encouraging the growth of native vegetation on the water side of all the levees and perhaps adding water side benches, and possibly by restricting the flows in selected channels.	This comment will be considered for preparation of the Delta Plan and EIR
Resident of Lafayette	2/10/2011	An Outline of a Rational Policy for Delta Levees...1. Opinions vary as to the current condition of the delta levees but these differences are exaggerated in public discussion as a result of posturing by one side or another...	This comment will be considered for preparation of the Delta Plan and EIR
Resident of Lafayette	2/10/2011	An Outline of a Rational Policy for Delta Levees...2...(i) the levees hold back water every day so that their static stability and seepage control measures are pretty good; (ii) "sunny day failures" are still a problem but the likelihood of these failures can be minimized by better monitoring; (iii) earthquake-induced failures are a legitimate concern but opinions vary on how great the hazard really is and more precise evaluations are hampered by a lack of data (paraphrased).	This comment will be considered for preparation of the Delta Plan and EIR
Resident of Lafayette	2/10/2011	An Outline of a Rational Policy for Delta Levees...3. The DRMS study is not a good basis for drawing any numerical conclusions because it was schedule-driven and hampered by big data gaps.	This comment will be considered for preparation of the Delta Plan and EIR
Resident of Lafayette	2/10/2011	An Outline of a Rational Policy for Delta Levees...4. My own opinion is that with continuing improvements funded by the State's subventions program and the \$200m that is being made available by the Federal government through the Corps of Engineers, the Delta levees are, or will be, in not such bad shape for flood and earthquake loadings with a 100 year return period.	This comment will be considered for preparation of the Delta Plan and EIR
Resident of Lafayette	2/10/2011	An Outline of a Rational Policy for Delta Levees...5. However, given the importance of the levees for maintaining the Delta as a place and protecting the vital infrastructure that runs through it, designing for a 100 year return period is inadequate. Critical structures in this state like schools and hospitals are designed for something like a 1000 year return period. The new East Bay Bridge, which is a critical structure, but no more critical than many of the Delta levees, was designed for 1500 year return period ground motions. On balance, design for flood and earthquake loadings with return periods in the order of 500 years would appear to be appropriate.	This comment will be considered for preparation of the Delta Plan and EIR

Matrix 5 Comments Related to Risk Reduction (2/5/11 - 3/18/11)

Association	Date	Comment	Status of Comment
Resident of Lafayette	2/10/2011	An Outline of a Rational Policy for Delta Levees...6. It is feasible to design for 500-year return period loadings by widening the existing levees on the land side as shown by the "super levees" designed for Delta Wetlands. Such levees can be constructed at a cost which might be in the order of \$5-8m per mile. These levees can also easily be raised as necessary to accommodate sea level rise.	This comment will be considered for preparation of the Delta Plan and EIR
Resident of Lafayette	2/10/2011	An Outline of a Rational Policy for Delta Levees...7. A critical component of the ecosystem restoration element of the Delta Plan should be the restoration of native vegetation on the water side of every Delta levee. This might require the installation of an engineered rodent and root barrier but can otherwise be easily accommodated by using a more substantial levee section.	This comment will be considered for preparation of the Delta Plan and EIR
Resident of Lafayette	2/10/2011	An Outline of a Rational Policy for Delta Levees...8. Other levee standards are not applicable to the Delta and the Delta Plan should include a Delta-specific levee standard. This standard should require advanced monitoring for defects and real-time alerts of deformation or failure.	This comment will be considered for preparation of the Delta Plan and EIR
Resident of Lafayette	2/10/2011	An Outline of a Rational Policy for Delta Levees...9. Both Jeff Mount and Bob Bea are calling for wider use of risk- based approaches for dealing with the Delta levees. That is fine in theory, and an updated risk assessment might be a good way to prioritize spending on Delta levees, but it should be recognized that there are significant uncertainties in such analyses and that they cannot be used directly for design purposes. Common-sense rules, such as giving priority to the islands in the Western Delta are likely to be just as, or more useful.	This comment will be considered for preparation of the Delta Plan and EIR
Resident of Lafayette	2/10/2011	An Outline of a Rational Policy for Delta Levees...10. The cost of the required improvements is manageable relative to the value of the infrastructure that passes through the Delta (including water conveyance) and the cost of relocating this infrastructure. There is a relatively simple path to financing such super levees as outlined in my recent remarks to the Contra Costa Council Water Task Force.	This comment will be considered for preparation of the Delta Plan and EIR

Matrix 5 Comments Related to Risk Reduction (2/5/11 - 3/18/11)

Association	Date	Comment	Status of Comment
Resident of Lafayette	2/21/2011	Flood Risk White Paper: ...it is pointless to cite a DWR 1992 report (that is not listed in the references) and to include a chart from it as Figure 5-5. On the other hand, the seismic risk portion of DRMS was relatively well done and the results shown in Figure 5-14 can serve as a useful starting point for an intelligent discussion of earthquake-induced failure of levees. The phenomenon of liquefaction is generally cited as the greatest contributor to the hazard faced by the delta levees and this level of acceleration is lower than that which has been observed to trigger liquefaction in hydraulically-placed dams and sand fills...In the Delta there are two different kinds of soils that may be susceptible to liquefaction. One is the topmost sand layer that underlies the peat. This, relatively thin, layer typically shows low penetration resistances and may be considered by some experts to be susceptible to liquefaction, however, these natural deposits are quite old, predating the formation of the peats, and others experts would argue that this reduces the probability of liquefaction considerably. The other kind of soil that is susceptible to liquefaction is hydraulically placed clean sand that has been dredged from the main river channels and placed in adjacent levees without compaction. The actual extent of these materials is unclear and it may be that these materials are sufficiently well drained that most of the excess pore pressures that are generated by earthquake shaking would quickly dissipate so that any deformations would be limited. Thus, a fair summary would be that the risk of failure of Delta levees due to earthquake shaking cannot be dismissed but that further detailed studies are required to determine whether it rises to significant levels.	This comment will be considered for preparation of the Delta Plan and EIR
Resident of Lafayette	2/21/2011	Flood Risk White Paper: The White Paper cites numbers from DRMS in spite of the fact that the IRP cautioned against taking DRMS numbers at face value. And the number cited of a levee breach due to causes other than flood or earthquake of once every 10 years is inconsistent with the recent actual performance. In fact there have been three major "sunny day" failures in the last 30 years, the 1980 failure of Lower Jones Tract, the 1982 failure of McDonald Island and the 2004 failure of Upper Jones Tract, consistent with one failure every ten years, however the first two of these resulted from operation of the PG&E gas storage facility under McDonald Island (knowledge developed when I served as an expert witness in the litigation that followed the McDonald Island failure). Thus, the true rate of sunny day failures due to unknown causes is less than once every 30 years. Further, improvements in systems for monitoring the internal condition of levees...should allow more prompt discovery of dangerous conditions in the future and further reduce the probability of sunny day failures.	This comment will be considered for preparation of the Delta Plan and EIR

Matrix 5 Comments Related to Risk Reduction (2/5/11 - 3/18/11)

Association	Date	Comment	Status of Comment
Solano County	3/10/2011	Levee Maintenance--Provide funding for levee maintenance and improvements in the short and long term (based on the use of broad based fees). Specifically analyze impact of Ecosystem Restoration projects on flood management and totally fund measures to mitigate increased risk.	This comment will be considered for preparation of the Delta Plan and EIR
Solano County	3/10/2011	Local Government Impacts--Ensure the flood control system is not compromised by the state or federal government to facilitate conveyance or habitat development and recognize that some of these efforts will impose potential hefty regulatory impacts on local government that should be mitigated in coordination with the local government.	This comment will be considered for preparation of the Delta Plan and EIR
Solano County	3/10/2011	First Staff Draft Delta Plan - Chapter 8: The findings related to emergency preparedness should include any linkages to Bay Area plans such as the Suisun Marsh Protection Act/Plan, Bay Area UASI, ABAG, and Bay Conservation and Development Commission (BCDC) and their communities.	This comment will be considered for preparation of the Delta Plan and EIR along with other comments including comments from the Independent Science Board
U.S. Department of the Interior, U.S. Geological Survey	2/4/2011	I want to take this opportunity to clarify some remarks that we made about the DRMS studies and our understanding of the seismic hazard. During our presentation we made comments that have been construed as indicating that the DRMS study underestimated the hazards (and risk) to the Delta from earthquakes. This was not our intent: we concur with the DRMS study that the seismic hazard in the Delta is high.	This comment will be considered for preparation of the Delta Plan and EIR
U.S. Department of the Interior, U.S. Geological Survey	2/4/2011	Beside informing the Council about earthquake hazards to the Delta, the main point we were trying to make is that there remains considerable uncertainty in any characterization of hazards due to our community's limited understanding of: (1) the potential seismic sources in the East Bay and beneath the Delta; (2) the effects that peat and soft soils will have on earthquake energy as it is transmitted to the ground surface; and (3) the deeper three-dimensional geology of this part of the Central Valley and the presence of thick, soft basin materials. We believe that it is critical to obtain more measurements of ground motions in the Delta to address these last two concerns. We further believe that the ongoing research at the USGS and elsewhere will help to reduce the uncertainty in hazard assessments.	This comment will be considered for preparation of the Delta Plan and EIR

Matrix 5 Comments Related to Risk Reduction (2/5/11 - 3/18/11)

Association	Date	Comment	Status of Comment
URS Corporation	2/2/2011	Dr. Schwartz commented on the estimation of ground motion and site response, and how DRMS used a model based on 'one type of material, a stiff soil ' . This statement is not correct...In the DRMS study, a considerable effort was put into collecting existing geotechnical information on Delta soil properties to support site-specific evaluations. As such, site conditions were carefully modeled representing at each site the specific soil conditions including: clay, silt, loose sand (liquefiable), peat, etc that exist at each site. The detailed description of the ground motion and site-response assessment is provided in the Seismology and Levee Vulnerability Technical Memoranda (TM) (among the 12 TMs produced in DRMS).	This comment will be considered for preparation of the Delta Plan and EIR
URS Corporation	2/2/2011	Dr. Schwartz also commented on the estimates of levee failure in the Delta. On this subject we found a number of statements are not consistent with what was done in the DRMS work. For instance, Dr. Schwartz referred to a map of 100-year ground motions in the Delta that was presented in the DRMS report. He indicated that modeling ground motions in terms of these ' uniform bands' is very unrealistic. We would certainly agree and simply point out these uniform hazard ground motion maps were not used in the DRMS risk analysis (they were used for display purpose only for the general public). Secondly, the vulnerability classes (representing the fragility functions of the various levee segments in the Delta) are intrinsic properties of the levees and their foundations. The seismic response of these levees is not affected by the 100-year ground motions only, but by a range of ground motions resulting from small and frequent to large and infrequent earthquakes as it is explained clearly in the Risk Analysis Report and the Seismic Hazard TM.	This comment will be considered for preparation of the Delta Plan and EIR
URS Corporation	2/2/2011	During this same part of his presentation, Dr. Schwartz then went on to draw a conclusion with respect to the use of the ' uniform-band' characterization of the ground motion and the prediction of levee failure. He concluded that 'one-half of the Delta is ok and the other half is failed' given the uniform band of ground motions, suggesting such a conclusion is 'very, very unrealistic.' This is an over-simplified and more importantly, erroneous characterization of the predicted performance of Delta levees and how the DRMS risk analysis modeled the probability of levee failures. Even if Dr. Schwartz's ' uniform-band theory of ground motions was correct', his characterization of how levee performance was modeled is not.	This comment will be considered for preparation of the Delta Plan and EIR

**Matrix 6 Errata to Matrix 4 included in Comment Matrix for February 2011 Delta Stewardship Council
"Comments Related to Water Resources (1/10/11-2/4/11)"**

Association	Date	Comment	Status of Comment
California Farm Bureau	1/21/2011	Farm Bureau is supportive of identifying opportunities for increased efficiencies in water use, across the spectrum of beneficial uses...California's farmers and ranchers have a continuing role to play in the struggle for greater water use efficiency, as do urban users and proponents of environmental needs. As I have stated previously to the Council, farmers and ranchers are justifiably proud of their record over the past 40 years, as more and more crops move to efficient water systems and methodologies at the same time California retains its position as the nation's top agricultural producer.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources.
California Farm Bureau	1/21/2011	The Delta Watermaster, authorized by Water Code section 85230, has authority in relation to conditions and diversions within the Delta. As a practical matter, it is difficult to explain to our diverse membership – including, for example, farmers and ranchers in places like Modoc and Imperial counties – just why the Delta Watermaster should be calling for a summit on “reasonable use” and water use efficiency as it relates to them, calling for the commitment of general enforcement resources on this issue, or even why he should be authoring white papers on statewide policy. Nothing about the Delta Watermaster's statutory authority or the legislative intent in the 2010 creation of this position, including the Watermaster's charge to submit “regular reports” under Water Code section 85230, suggests such an authority-at-large.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources.
California Farm Bureau	1/21/2011	The Delta Watermaster's Focus Is One-Dimensional. At the same time that the white paper overreaches with statewide ambition, it is also incomplete in terms of its limited focus on agriculture. Even to the extent the Delta Watermaster wishes to examine reasonable use within his geographic authority, any inquiry is incomplete without visiting the entire spectrum of beneficial uses. The constitutional requirements found within Article X, Section 2 are a test against which any use of water must stand – including environmental and M&I uses – and an inquiry as to whether any one category or type of use is “reasonable” is hollow unless balanced against other uses. It would itself be unreasonable, for example, to require farmers and ranchers to adopt a costly new technology for a marginal and incremental water savings, while the efficacy of large-volume dam releases for fisheries restoration goes unexamined for actual positive effect.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources.

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Association	Date	Comment	Status of Comment
California Farm Bureau	1/21/2011	Increased efficiencies tend to manifest themselves incrementally, however, as technology becomes available and market conditions justify their use. It is not always possible to use the most efficient technology or method, and the caselaw interpreting Article X, Section 2 does not require so. Moreover, no reading of the California Constitution's enjoiner to reasonable and non-wasteful water use would justify some of the suggestions in the Delta Watermaster's white paper, such as identification of "approved" crop types.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources.
California Farm Bureau	1/21/2011	The Delta Watermaster has identified enforcement of the reasonable use doctrine as "reactive", and this is because the California Supreme Court has required a case-by-case inquiry on the subject. Hard and fast rules on the use of agricultural water – or any type of water use – must navigate the contours of Article X, Section 2. In the case of agricultural water use, those contours depend upon climate, weather, water source, soil type, market conditions and any number of other variables. The white paper perhaps asks too much in this regard, to the extent it would seek substantial enforcement resources up front to prospectively identify proper water use against the diversity of the agricultural landscape, or to vet water use efficiency "addendums" attached to all Statements of Diversion and Use which individually detail on-farm management practices.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources.
California Farm Bureau	1/21/2011	The Delta Watermaster Largely Ignores Other Institutions and Processes. The white paper was apparently formulated without reference to ongoing and very effective efforts within the agricultural industry to keep increasing irrigation efficiencies available to California's farmers and ranchers. Correctly, the white paper references recent enactments directed at agricultural water management planning, applicable to the agricultural water suppliers which serve the majority of California's agricultural landscape. The Delta Watermaster does not do a very good job, however, of detailing the numerous institutions and processes which provide technical assistance – and grant money – to farmers and ranchers for agricultural water use efficiency...The Delta Watermaster is apparently even only marginally aware of CIMIS, the California Irrigation Management Information System maintained by DWR's Office of Water Use Efficiency, a basic and widely-used tool which California farmers use to estimate crop water use for efficient irrigation scheduling.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources.

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"Comments Related to Water Resources (1/10/11-2/4/11)"**

Association	Date	Comment	Status of Comment
California Farm Bureau	1/21/2011	The Delta Watermaster Did Not Involve Agricultural Stakeholders. Perhaps the greatest flaw in the white paper is that it was formulated as a lawyer's piece, with too much attention paid to the legal background on the subject of reasonable use, and too little paid to in-field practices. This could have been avoided by substantially involving California's farmers and ranchers...If the Delta Watermaster wishes to help drive technical innovations in on-farm water use efficiency, either within or outside of his geographic purview, we would recommend that he engage in the many voluntary processes that are calculated to deploy irrigation techniques which farmers and ranchers are incentivized to adopt.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources in the Delta.
California Farm Bureau	1/25/2011	AGRESWP For example, it is estimated that between 2003 and 2008, growers in the San Joaquin Valley invested over \$1.5 billion dollars in high-efficiency irrigation equipment, infrastructure, and technology. According to DWR's recently released 2009 California Water Plan Update, agricultural water use statewide ("crop applied water use") has fallen 14.6 percent over the last 40 years (1967-2007), from 31.2 million acre-feet to an estimated 26.7 million acre-feet in 2007. Despite this reduction in total applied water use, however, DWR estimates that "real, inflation-adjusted gross revenue" for California agricultural products during the same time period increased 84 percent, from \$19.9 billion in 1967 to \$36.6 billion in 2007.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources in the Delta.
California Farm Bureau	1/25/2011	AGRESWP Whereas agriculture in the year 2000 accounted for about 41 of applied water use from both surface and groundwater in a normal year, environmental and urban water use accounted for approximately 48 and 11 percent, respectively. Recent significant regulatory reallocations since 2000 under the NMFS and USFWS OCAP biological opinions, under the San Joaquin River Restoration Agreement, and other developments notably increased the proportion of water going to environmental uses and substantially reduced current allocations to urban and agricultural use.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources in the Delta.
California Farm Bureau	1/25/2011	AGRESWP ...the White Paper's "Water Quality" section includes no mention whatsoever of salinity intrusion, water levels, and lack of circulation or "null zones" as the Delta's most significant water quality issues, or of the need for potential avoidance or mitigation measures should the proposed conveyance facility and restoration significantly alter or worsen the problem of salinity intrusion into the Delta.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources in the Delta.

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"Comments Related to Water Resources (1/10/11-2/4/11)"**

Association	Date	Comment	Status of Comment
California Farm Bureau	1/25/2011	AGRESWP Regarding salt build-up in soils and groundwater, for example, while this is again a significant problem in some areas of the state, assuming there is sufficient freshwater for leaching in the Delta, it is there a much less severe problem than elsewhere.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources in the Delta.
California Farm Bureau	1/25/2011	AGRESWP...concerning water supply and groundwater depletion, while this is a significant problem in some of the areas adjacent to the Delta, in the parts of the Valley south of the Delta, and some other areas of the state, in the Delta, surface water from channels and sloughs is by far the primary source of irrigation water while, far from being overdrafted, the water table on many Delta islands is in fact so high that farmers must actually pump water off the land and into adjacent channels and sloughs to prevent water logging of the root zone.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources in the Delta.
California Farm Bureau	1/28/2011	Contrary to the Delta Watermaster's criticism of the 10,000 and 25,000 acre thresholds in SB 7X 7, according to the Agricultural Water Management Council, based on 2005 data, agricultural water suppliers with 10,000 irrigated acres or more collectively serve 95 percent of the more than 6 million irrigated acres served by water districts statewide, while suppliers serving 25,000 irrigated acres or more represent more than 80 percent of the same area. It is therefore inaccurate and misleading to suggest that required agricultural water efficiency reporting, measurement, planning, and implementation under SB 7X 7 does not cover the lion's share of agricultural water use in the Central Valley, as well as the total area of land irrigated by water districts in California.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources in the Delta.
California Farm Bureau	1/28/2011	In any case, given limited resources and the considerable representative coverage of the various tiers, the current approach is certainly an appropriate incremental step.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources in the Delta.
California Farm Bureau	1/28/2011	Nonetheless, the formidable task of complying with additional requirements of SB 7X 7 will, between now and mid- to late 2012, absorb all of these agencies' available resources (and more) in the area of agricultural water use efficiency.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources in the Delta.

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Association	Date	Comment	Status of Comment
California Farm Bureau	1/28/2011	Agricultural water suppliers will have to prepare or update existing agricultural water management plans to conform to the specific requirements of SB 7X 7 and implement additional "locally cost-effective" efficient water management practices, or otherwise submit documentation in support of a determination that such additional practices are not "locally cost-effective" at the time of reporting.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources in the Delta.
California Farm Bureau	1/28/2011	As noted, agricultural stakeholders must engage in a stakeholder process with DWR to develop a proposed agricultural water efficiency methodology. Additionally, SB 7X 7 makes mandatory certain previously conditional, albeit already widely implemented efficient water management practices (volumetric pricing and "aggregated farm-gate delivery data").	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources in the Delta.
California Farm Bureau	1/28/2011	SB 7X 7 requires conformance to a new standardized reporting form, coordination with other local agencies, and public dissemination of agricultural water management plans.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources in the Delta.
California Farm Bureau	1/28/2011	...agricultural water suppliers are simultaneously striving to comply with additional new requirements in the 2009 Delta Reform Package, including new mandatory statements of water diversion requirements and new statewide groundwater monitoring and reporting responsibilities.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources in the Delta.
California Farm Bureau	1/28/2011	As the result of a very inclusive and exhaustive public stakeholder process including actual farmers and agricultural interests as well as members of the environmental community and others, SB 7X 7 represents the best and most appropriate compromise currently possible. Implementation of the measures required under SB 7X 7 by agricultural water suppliers around the state will undoubtedly amount to an enormous step forward. Accordingly, we should not now rush to judgment; rather, the State of California should allow the legislation to work, without premature regulatory interference and second-guessing.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources in the Delta.

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Association	Date	Comment	Status of Comment
California Farm Bureau	1/28/2011	...it is estimated that between 2003 and 2008, growers in the San Joaquin Valley invested over \$1.5 billion dollars in high-efficiency irrigation equipment, infrastructure, and technology. According to DWR's recently released 2009 California Water Plan Update, agricultural water use statewide ("crop applied water use") has fallen 14.6 percent over the last 40 years (1967-2007), from 31.2 million acre-feet to an estimated 26.7 million acre-feet in 2007. Despite this reduction in total applied water use, however, DWR estimates that "real, inflation-adjusted gross revenue" for California agricultural products during the same time period increased 84 percent, from \$19.9 billion in 1967 to \$36.6 billion in 2007.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources in the Delta.
California Farm Bureau	1/28/2011	Required Levels of Investment above Readily Implementable "Locally Cost-Effective" Efficiency Measures That Would Be Necessary to Realize Aggressive Projections of Potential Water Savings Are Not Realistic, and Probably Not Feasible...Given the significant up-front expense of many such improvements, however, the primary limitation on the implementation of such measures is that they are simply not "locally cost-effective." This, in fact, is one of the primary reasons why extremely aggressive projections of potential agricultural water efficiency savings ignore stubborn on-the-ground realities. ¹⁸ [18 Other reasons such estimates are simply not realistic include their tendency to ignore downstream and in-basin use, overlook regional differences, differing crops types and agronomic practices, and double or accumulate assumed savings across different categories of efficiency measures, among other over-simplification and accuracies. See Burt, et al., Oct. 2008, "Agricultural Water Conservation and Efficiency in California—A Commentary," http://www.itrc.org/papers/commentary/commentary.pdf .]	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources in the Delta.
California Farm Bureau	1/28/2011	More, and not less, capacity and flexibility to capture, store, release, and convey water will be critically important to sustainably meet competing demands on limited water resources in the 21st century. This is not an either-or proposition; it is a dual necessity (and, indeed, something very much implicit in the "co-equal goals" concept that is the Stewardship Council's charge). Thus, while increased water efficiency is necessary, so too are additional storage, improved conveyance, and greater regulatory certainty.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources in the Delta.

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Association	Date	Comment	Status of Comment
California Farm Bureau	1/28/2011	One other critical aspect of agricultural water efficiency that is missed in the Delta Watermaster's "The Reasonable Use" report and other similar treatments of this subject is the great importance of some relative certainty in terms of the overall stability and security of existing water rights...Namely, if the prevailing legal and regulatory environment is such that agricultural or other water users are made to live in constant fear of loss or reallocation of their existing water supplies, they will be less willing to implement practices that may result in further losses of water. In this regard, collaborative, voluntary, market-, and incentive-based approaches (though too seldom embraced in practice) are always more effective.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources in the Delta.
Coalition for a Sustainable Delta	1/7/2011	The assignment to the ISB to "focus on identifying alternative classifications of stressors and ways of evaluating their relative importance, especially considering interactions of multiple stressors" is at the same time worthwhile and fraught with the potential to repeat failed past efforts to bring science to bear in informing environmental policy and management in the Delta. In our view, the task should be configured into a more basic endeavor in order to provide exactly the information that is needed to lead the state and federal agencies responsible for conservation in the Delta to an effective, efficient, and accountable species recovery and ecosystem restoration agenda.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to biological and water resources in the Delta.
Coalition for a Sustainable Delta	1/7/2011	The recently released Interagency Environmental Program 2010 Pelagic Organism Decline Workplan and Synthesis of Results goes a long way toward accomplishing the initial step with respect to a number of pelagic species by gathering the best available science on those species and the broader Delta ecosystem...But, as it stands, the report is an unreliable source of information to complete the analyses necessary to guide agency decision-making, as it doesn't differentiate between results from data derived from rigorous studies that employ an experimental framework and the most robust analytical tools, and results derived from other, lesser approaches. And, the report promulgates and espouses agency findings that a Federal District Court aided by two respected science experts have found to be not valid.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to biological and water resources in the Delta.
Coalition for a Sustainable Delta	1/7/2011	Accordingly, the ISB can and should pick up where the Workplan and Synthesis of Results left off by providing an expert assessment of the state of knowledge of the environmental stressors that act to compromise desired conditions in the Delta.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to biological and water resources in the Delta.

**Matrix 6 Errata to Matrix 4 included in Comment Matrix for February 2011 Delta Stewardship Council
"Comments Related to Water Resources (1/10/11-2/4/11)"**

Association	Date	Comment	Status of Comment
Coalition for a Sustainable Delta	1/7/2011	The process of informing agency determinations with the best available science, and then providing guidance to management programs that are intended to recover at-risk species and their habitats, has several discrete steps that require contributions from distinct participants...Two separate steps in the process require the active involvement of scientists; the first is ...the requirement that any and all available technical information that is pertinent to and may be useful in shaping and directing the conservation response to species and ecosystems at risk – including identifying management or restoration actions, determining their timing and the locations of the actions, engaging the right tools to facilitate the actions, and subsequently assessing the effectiveness and efficacy of the actions – be vetted and considered. That process step requires direct contributions from scientists...Scientists need to engage in the next step in the process of bringing science to decision-making; that is, the actual use of the “best available science” in what the federal wildlife agencies refer to as “effects analysis,” and the Environmental Protection Agency and others refer to as “risk assessment.”	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to biological and water resources in the Delta.
Coalition for a Sustainable Delta	1/7/2011	...risk assessment/effects analysis is a structured process that uses best available science to inform selection among resource management decisions or strategies. Effects analysis assesses the benefits and costs – both ecological and economic – that attend different planning outcomes.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to biological and water resources in the Delta.
Coalition for a Sustainable Delta	1/7/2011	Therefore, we urge the ISB to use its position and expertise to discriminate formally from among available information, that constitutes the “best” science – in regards to species-environmental stressor relationships, and in other diverse attributes of the complex Delta ecosystems. And, the ISB should assist the Delta Stewardship Council and other state and federal regulatory agencies in applying those data, analyses, syntheses, system models and other “scientific” information and tools that are reliable in the requisite analysis of the probable effects of the diverse future Delta action scenarios that are available for consideration. We are concerned that engagement of the ISB in tasks peripheral to direct support of agency and inter-agency efforts to restore a desired Delta ecosystem – anything less than formal integration of the ISB, and its best judgments regarding best science and the role of best science in assessing the effects of future actions the Delta environment, into the structure of decision-making for the Delta – will simply be a continuation of the opportunities lost over the past decade.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to biological and water resources in the Delta.

**Matrix 6 Errata to Matrix 4 included in Comment Matrix for February 2011 Delta Stewardship Council
"Comments Related to Water Resources (1/10/11-2/4/11)"**

Association	Date	Comment	Status of Comment
Sacramento Regional County Sanitation District	1/19/2011	LUSEWP The Introduction section references Water Code Section 85022 which specifically implies conservation requirements, including recycled water, for regions that utilize Delta watershed as a source of water supply to become more self reliant. It should also be noted that conservation measures and improvements to water flowing into the Delta watershed is of equal importance. As such, SRCSD makes several recommendations to incorporate reference to a coordinated expansion of the recycled water program in the Sacramento region and in the upstream portions of the Delta and its tributaries that could provide significant benefits to the Delta watershed.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to water resources.
Sacramento Regional County Sanitation District	1/19/2011	LUSEWP Page 3-7 lines 14-17: SRCSD requests that a clarification be made to this section shown below in bold. "Communities outside the Primary Zone currently are anticipated to continue releasing treated wastewater into Delta waterways (through wastewater discharge requirements issued by the Central Valley RWQCB), onto constructed wetlands, or onto agricultural lands including discharges of recycled water. "	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to water resources.
Sacramento Regional County Sanitation District	1/19/2011	LUSEWP Page 4-11 Table 4-2: DPC Land Use and Resource Management Plan Policies under subheading Utilities and Infrastructure P-4 "Encourage recycling programs for metals, glass paper, cardboard, and organic materials, in order to minimize waste generation ... " SRCSD requests the addition of recycled water to the list of recycling programs in this section.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to water resources.
Sacramento Regional County Sanitation District	1/19/2011	LUSEWP Page 4-15 lines 6-24: South Sacramento Habitat Conservation Plan (SSHCP) states on line 20 "Sacramento County is partnering with the incorporated cities of Rancho Cordova, Galt, and Elk Grove, as well as the Sacramento Regional County Sanitation District and Sacramento County Water Agency, to further advance the regional planning goals of the SSHCP (Sacramento County, 2010). SRCSD recommends adding a statement to this section referencing section 5.4.2 of the SSHCP that discusses the development of recycled water supplies to "support agricultural lands and to improve aquatic and terrestrial habitat on existing and future conservation lands near the Cosumnes River Preserve." This section should specifically encourage the SSHCP partners to continue efforts to expand the regional recycled water program which could be a significant step toward an integrated approach to water, land use and resource management planning to achieve multiple objectives as described in this white paper.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to water, biological, and land use resources.

**Matrix 6 Errata to Matrix 4 included in Comment Matrix for February 2011 Delta Stewardship Council
"Comments Related to Water Resources (1/10/11-2/4/11)"**

Association	Date	Comment	Status of Comment
Sacramento Regional County Sanitation District	1/19/2011	LUSEWP Page 5-2 lines 10-20: SRCSD recommends that " increased recycled water supply and distribution" be added to the bullets for consideration of future policy issues to address the risks that face the Delta. An increase in the use of recycled water in the vicinity of the Sacramento River and the Cosumnes River would help to address the future risks listed in this section including agriculture, water supply and water quality. An investment in the production and distribution of recycled water in the Delta primary and secondary zones would provide multiple benefits including the provision of a new, sustainable supply of water that could be used to support agriculture, wetlands and other habitat areas, while decreasing the demands on surface and groundwater. Investing in programs like water recycling help achieve an integrated approach to water, land use and resource management planning.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to water and land use resources.
Sacramento Regional County Sanitation District	1/19/2011	WRESWP The Sacramento Regional County Sanitation District (SRCSD) safely treats and disinfects an average of 150 million gallons a day (mgd) of municipal wastewater - water that could be put to beneficial use as a recycled water supply for the Sacramento region. Unfortunately, most of this valuable and reliable water supply is not being recycled due to a lack of funding to construct the required infrastructure. Currently, SRCSD's Water Reclamation Facility produces an average of 3 mgd of tertiary recycled water delivered seasonally for landscape irrigation in south Sacramento County, with a capacity to deliver up to 5 mgd. The design for a facility expansion up to 10 mgd is complete and the design for an additional water transmission pipeline is in progress. However, construction for the overall expansion project is on hold due to a lack of funding for the distribution pipeline and other necessary infrastructure. The capital cost for the water treatment facility expansion is estimated at \$18 million. State grants in the amount of \$5.4 million have been awarded for the facility expansion. The estimated cost for the storage, pumping and distribution system is estimated at \$17 million.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to water resources.

**Matrix 6 Errata to Matrix 4 included in Comment Matrix for February 2011 Delta Stewardship Council
"Comments Related to Water Resources (1/10/11-2/4/11)"**

Association	Date	Comment	Status of Comment
Sacramento Regional County Sanitation District	1/19/2011	WRESWP In 2007. SRCSD completed a Water Recycling Opportunities Study that identified several local and regional projects that could benefit from the use of recycled water. The South Sacramento County Agriculture and Habitat Lands Water Recycling Project is one of the projects identified by this study. This project would provide a safe and reliable supply of tertiary treated water for up to 8000 acres of land used for agricultural, conservation and mitigation purposes .. This project has multiple benefits including reducing local groundwater pumping, support of habitat restoration efforts, and providing near-term benefits to the Sacramento-San Joaquin Delta and the region. Other future projects that might be possible through a regional collaboration include the establishment of a local groundwater banking system and the use of recycled water for recharge of local surface waters such as the Cosumnes River.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to water resources.
Sacramento Regional County Sanitation District	1/19/2011	WRESWP SRCSD wants to participate in solving the State's water supply issue by expanding our water recycling program in the Sacramento region. We have recently taken the lead in forming the Sacramento Water Recycling Coalition, a group of members that includes local water purveyors, representatives of agricultural and wildlife habitat groups, cities, county departments, local water authorities, and others who are interested in expanding the use of recycled water in our region. The purpose of this coalition is to collaborate to gain support for recycled water projects in the Sacramento area that have regional benefits while building the framework to support a regional comprehensive water reuse program. However, in order to expand the use of recycled water on a regional scale, state and federal funding will be needed to help offset project costs and to guide the future direction for water recycling in the Sacramento region...SRCSD's goal is to increase water recycling throughout the Sacramento region up to 30 to 40 million gallons per day (MGD) over the next 20 years.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to water resources.

**Matrix 7 Errata to Matrix 5 included in Comment Matrix for February 2011 Delta Stewardship Council
"Comments Related to Ecosystem Resources (1/10/11-2/4/11)"**

Association	Date	Comment	Status of Comment
California Farm Bureau	1/25/2011	AGRESWP Ecosystems and fish and wildlife populations impacted by historical land and water development can likely be rehabilitated only to a point; thus, the possible limited extent to which depleted species and ecosystems can be recovered and restored should perhaps act as a check on our haste to sacrifice other important values in the pursuit of anticipated benefits which may in fact never materialize.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources and terrestrial resources in the Delta.
California Farm Bureau	1/25/2011	AGRESWP The White Paper highlights quite prominently the loss in recent decades of important farmland in the Delta to urban development, ⁵⁸ yet it includes no commentary whatsoever on the significant loss of an equivalent area of agricultural land during the same period to a large and growing acreage of conservation and open space lands in the Delta—or of the much larger potential, future loss of some 80,000 to 100,000 acres of existing farmland to various proposed restoration projects.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources and terrestrial resources in the Delta.
Coalition for a Sustainable Delta	1/7/2011	The assignment to the ISB to “focus on identifying alternative classifications of stressors and ways of evaluating their relative importance, especially considering interactions of multiple stressors” is at the same time worthwhile and fraught with the potential to repeat failed past efforts to bring science to bear in informing environmental policy and management in the Delta. In our view, the task should be configured into a more basic endeavor in order to provide exactly the information that is needed to lead the state and federal agencies responsible for conservation in the Delta to an effective, efficient, and accountable species recovery and ecosystem restoration agenda.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to biological and water resources in the Delta.
Coalition for a Sustainable Delta	1/7/2011	The recently released Interagency Environmental Program 2010 Pelagic Organism Decline Workplan and Synthesis of Results goes a long way toward accomplishing the initial step with respect to a number of pelagic species by gathering the best available science on those species and the broader Delta ecosystem...But, as it stands, the report is an unreliable source of information to complete the analyses necessary to guide agency decision-making, as it doesn't differentiate between results from data derived from rigorous studies that employ an experimental framework and the most robust analytical tools, and results derived from other, lesser approaches. And, the report promulgates and espouses agency findings that a Federal District Court aided by two respected science experts have found to be not valid.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to biological and water resources in the Delta.
Coalition for a Sustainable Delta	1/7/2011	Accordingly, the ISB can and should pick up where the Workplan and Synthesis of Results left off by providing an expert assessment of the state of knowledge of the environmental stressors that act to compromise desired conditions in the Delta.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to biological and water resources in the Delta.

**Matrix 7 Errata to Matrix 5 included in Comment Matrix for February 2011 Delta Stewardship Council
"Comments Related to Ecosystem Resources (1/10/11-2/4/11)"**

Association	Date	Comment	Status of Comment
Coalition for a Sustainable Delta	1/7/2011	The process of informing agency determinations with the best available science, and then providing guidance to management programs that are intended to recover at-risk species and their habitats, has several discrete steps that require contributions from distinct participants...Two separate steps in the process require the active involvement of scientists; the first is ...the requirement that any and all available technical information that is pertinent to and may be useful in shaping and directing the conservation response to species and ecosystems at risk – including identifying management or restoration actions, determining their timing and the locations of the actions, engaging the right tools to facilitate the actions, and subsequently assessing the effectiveness and efficacy of the actions – be vetted and considered. That process step requires direct contributions from scientists...Scientists need to engage in the next step in the process of bringing science to decision-making; that is, the actual use of the “best available science” in what the federal wildlife agencies refer to as “effects analysis,” and the Environmental Protection Agency and others refer to as “risk assessment.”	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to biological and water resources in the Delta.
Coalition for a Sustainable Delta	1/7/2011	...risk assessment/effects analysis is a structured process that uses best available science to inform selection among resource management decisions or strategies. Effects analysis assesses the benefits and costs – both ecological and economic – that attend different planning outcomes.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to biological and water resources in the Delta.
Coalition for a Sustainable Delta	1/7/2011	Therefore, we urge the ISB to use its position and expertise to discriminate formally from among available information, that constitutes the “best” science – in regards to species-environmental stressor relationships, and in other diverse attributes of the complex Delta ecosystems. And, the ISB should assist the Delta Stewardship Council and other state and federal regulatory agencies in applying those data, analyses, syntheses, system models and other “scientific” information and tools that are reliable in the requisite analysis of the probable effects of the diverse future Delta action scenarios that are available for consideration. We are concerned that engagement of the ISB in tasks peripheral to direct support of agency and inter-agency efforts to restore a desired Delta ecosystem – anything less than formal integration of the ISB, and its best judgments regarding best science and the role of best science in assessing the effects of future actions the Delta environment, into the structure of decision-making for the Delta – will simply be a continuation of the opportunities lost over the past decade.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to biological and water resources in the Delta.

**Matrix 7 Errata to Matrix 5 included in Comment Matrix for February 2011 Delta Stewardship Council
"Comments Related to Ecosystem Resources (1/10/11-2/4/11)"**

Association	Date	Comment	Status of Comment
Sacramento Regional County Sanitation District	1/19/2011	ECOWP SRCSD has noted in many of the sections discussing contaminants, and ammonia in particular, that the most currently available science has not been referenced. We request you use the most recent, best available science, in describing the ecosystem baseline, especially in relationship to the role wastewater discharges may play in driving the ecosystem. SRCSD agrees with the summary table of drivers for a poorly functioning ecosystem in the Executive Summary, which shows that the largest contributors to a poorly functioning ecosystem are invasive species, dams, channel configuration, and Delta exports.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to biological resources.
Sacramento Regional County Sanitation District	1/19/2011	ECOWP Page 4-2, Table 4-1, " Indicators and Drivers of Poor Ecosystem Function" is an excellent summary of the human modifications that drive ecosystem functionality. Clearly invasive species has affected the ecosystem greatly and is exasperated by nine out of 10 of the human modifications. Dams, channel configuration and Delta exports appear to be the next most significant contributors to a functioning ecosystem. SRCSD agrees with Table 4-1 that nutrient and contaminant loadings appear to be one of the least significant drivers in this poorly functioning ecosystem.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to biological resources.
Sacramento Regional County Sanitation District	1/19/2011	ECOWP Page 4-13, lines 10-12: Please note there are two Werner et al 2008 reports and it is not clear which report is being referenced in this statement. Werner's conceptual model included the possibility that nutrients from agricultural runoff or wastewater treatment plants may cause localized toxicity to aquatic organisms, but actual field data in later studies by Werner et al did not show any localized toxicity.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to biological resources.
Sacramento Regional County Sanitation District	1/19/2011	ECOWP Page 4-21, lines 35-40: The direct impact of water diversions on the overall population dynamics of Delta smelt is not well understood and is an area where significant future research is needed. The effect of the SWP and CVP exports on phytoplankton, zooplankton, nutrients and organic material that support the base of the Delta food web is another area that needs additional research to determine the importance of these effects to Delta smelt and other POD species. SRCSD has attached a document prepared for SRCSD by Larry Walker Associates which synthesizes data and facts from existing reports and studies to provide a comprehensive look at what is known about the water project operations and the impact they have on Delta fish (Attachment Four).	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to biological resources.
Sacramento Regional County Sanitation District	1/19/2011	ECOWP Page 4-22, lines 33 through 35: A statement is attributed to Werner (2008) regarding sub-lethal toxicity. It would be very helpful to clarify if this is a hypothetical statement or is it based on Delta-specific research.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to biological resources.

**Matrix 7 Errata to Matrix 5 included in Comment Matrix for February 2011 Delta Stewardship Council
"Comments Related to Ecosystem Resources (1/10/11-2/4/11)"**

Association	Date	Comment	Status of Comment
Sacramento Regional County Sanitation District	1/19/2011	ECOWP Page 4-23. line 28: The statement that mercury toxicity can lead to population declines of fish should be modified or qualified to state that it is not referring to POD species. As noted in the 2008 Alpers et al Mercury Conceptual Model, Delta Regional Ecosystem Restoration Implementation Plan, "The major limitation regarding effects for fish and wildlife is the lack of species-specific toxicity information on those organisms most at risk in the San Francisco Bay-Delta Estuary."	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to biological resources.
Sacramento Regional County Sanitation District	1/19/2011	ECOWP Page 4-24, line 16 through 19: SRCSD Comment: Page 4-24, line 16 through 19: The 2006 and 2007 work by Werner asserting that ammonia may contribute to localized toxicity in Delta smelt is dated and known to be incorrect. SRCSD recommends this statement be eliminated or modified such that it recognizes more recent studies by Werner that yielded a different conclusion that ambient ammonia/ium concentrations do not contribute to reduced survival of Delta smelt. Attachment five provides a list of Dr. Werner's references, some are included in this white paper, and others provide more recent information that should be considered for the baseline EIR.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to biological resources.
Sacramento Regional County Sanitation District	1/19/2011	LUSEWP Page 4-15 lines 6-24: South Sacramento Habitat Conservation Plan (SSHCP) states on line 20 "Sacramento County is partnering with the incorporated cities of Rancho Cordova, Galt, and Elk Grove, as well as the Sacramento Regional County Sanitation District and Sacramento County Water Agency, to further advance the regional planning goals of the SSHCP (Sacramento County, 2010). SRCSD recommends adding a statement to this section referencing section 5.4.2 of the SSHCP that discusses the development of recycled water supplies to "support agricultural lands and to improve aquatic and terrestrial habitat on existing and future conservation lands near the Cosumnes River Preserve." This section should specifically encourage the SSHCP partners to continue efforts to expand the regional recycled water program which could be a significant step toward an integrated approach to water, land use and resource management planning to achieve multiple objectives as described in this white paper.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to water, biological, and land use resources.

**Matrix 8 Errata to Matrix 6 included in Comment Matrix for February 2011 Delta Stewardship Council
"Comments Related to Delta as an Evolving Place (1/10/11-2/4/11)"**

Association	Date	Comment	Status of Comment
Sacramento Regional County Sanitation District	1/19/2011	LUSEWP The Introduction section references Water Code Section 85022 which specifically implies conservation requirements, including recycled water, for regions that utilize Delta watershed as a source of water supply to become more self reliant. It should also be noted that conservation measures and improvements to water flowing into the Delta watershed is of equal importance. As such, SRCSD makes several recommendations to incorporate reference to a coordinated expansion of the recycled water program in the Sacramento region and in the upstream portions of the Delta and its tributaries that could provide significant benefits to the Delta watershed.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to water resources.
Sacramento Regional County Sanitation District	1/19/2011	LUSEWP Page 4-15 lines 6-24: South Sacramento Habitat Conservation Plan (SSHCP) states on line 20 "Sacramento County is partnering with the incorporated cities of Rancho Cordova, Galt, and Elk Grove, as well as the Sacramento Regional County Sanitation District and Sacramento County Water Agency, to further advance the regional planning goals of the SSHCP (Sacramento County, 2010). SRCSD recommends adding a statement to this section referencing section 5.4.2 of the SSHCP that discusses the development of recycled water supplies to "support agricultural lands and to improve aquatic and terrestrial habitat on existing and future conservation lands near the Cosumnes River Preserve." This section should specifically encourage the SSHCP partners to continue efforts to expand the regional recycled water program which could be a significant step toward an integrated approach to water, land use and resource management planning to achieve multiple objectives as described in this white paper.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to water, biological, and land use resources.
Sacramento Regional County Sanitation District	1/19/2011	LUSEWP Page 5-2 lines 10-20: SRCSD recommends that " increased recycled water supply and distribution" be added to the bullets for consideration of future policy issues to address the risks that face the Delta. An increase in the use of recycled water in the vicinity of the Sacramento River and the Cosumnes River would help to address the future risks listed in this section including agriculture, water supply and water quality. An investment in the production and distribution of recycled water in the Delta primary and secondary zones would provide multiple benefits including the provision of a new, sustainable supply of water that could be used to support agriculture, wetlands and other habitat areas, while decreasing the demands on surface and groundwater. Investing in programs like water recycling help achieve an integrated approach to water, land use and resource management planning.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to water and land use resources.

**Matrix 9 Errata to Matrix 7 included in Comment Matrix for February 2011 Delta Stewardship Council
"Comments Related to Agricultural Resources (1/10/11-2/4/11)"**

Association	Date	Comment	Status of Comment
California Farm Bureau	1/28/2011	...agricultural water suppliers are simultaneously striving to comply with additional new requirements in the 2009 Delta Reform Package, including new mandatory statements of water diversion requirements and new statewide groundwater monitoring and reporting responsibilities.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources in the Delta.
California Farm Bureau	1/28/2011	...it is estimated that between 2003 and 2008, growers in the San Joaquin Valley invested over \$1.5 billion dollars in high-efficiency irrigation equipment, infrastructure, and technology. According to DWR's recently released 2009 California Water Plan Update, agricultural water use statewide ("crop applied water use") has fallen 14.6 percent over the last 40 years (1967-2007), from 31.2 million acre-feet to an estimated 26.7 million acre-feet in 2007. Despite this reduction in total applied water use, however, DWR estimates that "real, inflation-adjusted gross revenue" for California agricultural products during the same time period increased 84 percent, from \$19.9 billion in 1967 to \$36.6 billion in 2007.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources in the Delta.
California Farm Bureau	1/25/2011	AGRESWP ...it is widely known that the average American's consumption of fruits, vegetables, and other food groups as a percentage of dietary intake is well below the recommended quantities and proportions, while the average American's intake of other less healthy categories (such as sugars, fats, and carbohydrates) is well above recommended levels. For evidence of this imbalance, one need look no further than America's epidemic levels of obesity, diabetes, cardiovascular disease, and other health issues...Is it wise to offshore and curtail domestic fruit and vegetable production—and, in balancing food production against other values, can we really say that this is "in the public interest"?	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture.
California Farm Bureau	1/25/2011	AGRESWP ...not only is the United States among the most efficient agricultural producers in the world, but as shown in the graphics which follow, it is also one of the largest, in addition to producing more food per unit of labor, while using less water than in most countries around the world (including, especially, the high-input, low-productivity agricultural economies observed in most developing countries).	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture.
California Farm Bureau	1/25/2011	AGRESWP ...the White Paper's "Water Quality" section includes no mention whatsoever of salinity intrusion, water levels, and lack of circulation or "null zones" as the Delta's most significant water quality issues, or of the need for potential avoidance or mitigation measures should the proposed conveyance facility and restoration significantly alter or worsen the problem of salinity intrusion into the Delta.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources in the Delta.

**Matrix 9 Errata to Matrix 7 included in Comment Matrix for February 2011 Delta Stewardship Council
"Comments Related to Agricultural Resources (1/10/11-2/4/11)"**

Association	Date	Comment	Status of Comment
California Farm Bureau	1/25/2011	AGRESWP "...water and land utilized for food production does not go only to the farmer or the handful of workers in his direct employ; rather, it goes into the agricultural product that ultimately reaches each and every one of us—though not without having, first, navigated the entire extended network of supporting and supported services, industries, and processes, each with some quantum of associated economic activity along the way, en route to the consumer.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture.
California Farm Bureau	1/25/2011	AGRESWP "California," the text on pages 4-1 and 4-2 of the White Paper reads, "is the leading agricultural [producing state] in the nation, with 14 percent of the nation's agricultural GDP and more than twice as much agricultural GDP than the next state, Texas." "Although the value of California's agricultural production is large," the text continues, "[at] approximately \$38 billion in 2009 [...], this represents about 2 percent of California's estimated gross domestic product in 2009 (\$1.9 trillion)." "[I]ndirect economic activities related to agriculture," the White Paper is quick to add, "also add to the state's economy."1 [1 More precisely, on this point, the California Department of Food and Agriculture estimates that California's \$36.6 billion in direct farm gate revenues in turn stimulated at least \$100 billion in related economic activity. (For more on economic ripple and multiplier effects see discussion below under the heading "Agriculture in California's Central Valley Generally.")]	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture.
California Farm Bureau	1/25/2011	AGRESWP 2 While it may be that the direct farmgate value of California agriculture represents 2 percent of California's economy, one finds that the direct economic value of agricultural production nationally and globally in relation to the national or global economy is comparable: 0.7 percent of the U.S. economy per the USDA (See USDA Economic Research Service, "The Twentieth Century Transformation of Agriculture," Dimitri, et al.) and 6 percent of the world economy (IndexMundi Word Economy Profile 2010, http://www.indexmundi.com/world/economy_profile.html). Again, though, quite apart from the indirect "multiplier effects" of California's, the United States', or the world's agricultural economy, who in California, the United States, or the world can go without eating?	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture.

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Association	Date	Comment	Status of Comment
California Farm Bureau	1/25/2011	AGRESWP Again displaying an inordinate preoccupation with bare economics, the White Paper makes much of the relatively slower rate of conversion from "lower value" field and truck crops in Delta to "higher value" tree, vine, and nursery crops, when compared to the agriculture elsewhere in the larger 5 Delta county region. However, it is important to recognize that so-called "high value" crops presently fetch a higher price because of a particular level of market demand for those crops or the products derived from them at this time. Moreover, agricultural commodity markets, in general, encompass a much broader array of products, each of which has its own place in the market.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture.
California Farm Bureau	1/25/2011	AGRESWP Another problem with the White Paper's percentage-based snapshot of agriculture in the Delta, versus agriculture in the adjacent areas of the five counties outside of the Delta, is that this limited perspective fails to capture the relative quality, density, and diversity of agricultural land uses in the two areas. Thus, while areas adjacent to the Delta may boast large acreages of vines, for example, as well as nurseries to supply the high-value demand for nursery products from sizeable urban population centers found in these same adjacent areas—and while these adjacent areas may also include large acreages of grazing land, for example—it is a fact that few areas are so richly endowed with prime soils, moderating climate effects, or abundant easily accessed water for irrigation as the Delta.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture.
California Farm Bureau	1/25/2011	AGRESWP as the White Paper itself acknowledges, the Delta's current, proportionately lower ratio of so-called "higher value" orchard and vineyard crops and nurseries to so-called "lower value" truck and field crops, in fact provides important wildlife habitat not found elsewhere in the five-county region or state.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture.
California Farm Bureau	1/25/2011	AGRESWP As to the inherent significance and importance of Delta agriculture itself, and why it is not an expendable commodity, a few choice statistics from the White Paper itself will hopefully suffice...	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture.

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Association	Date	Comment	Status of Comment
California Farm Bureau	1/25/2011	AGRESWP California is the top agricultural producing state in the nation, well of ahead of the closest contenders, Iowa, Texas, Nebraska, and Illinois. California is the nation's leading producer of over 70 different crops. Of the nation's 10 agricultural top counties, 9 are located in California. California also leads the nation in agricultural exports, with \$10.9 billion in exports to some 156 countries worldwide in 2007. Almonds, wine, dairy products, cotton, table grapes and walnuts make up nearly 50 percent of California agricultural exports. About 70 percent of California farm cash receipts are linked to markets in the U.S., while the remaining 30 percent derives from exports.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture.
California Farm Bureau	1/25/2011	AGRESWP Ecosystems and fish and wildlife populations impacted by historical land and water development can likely be rehabilitated only to a point; thus, the possible limited extent to which depleted species and ecosystems can be recovered and restored should perhaps act as a check on our haste to sacrifice other important values in the pursuit of anticipated benefits which may in fact never materialize.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources and terrestrial resources in the Delta.
California Farm Bureau	1/25/2011	AGRESWP Even more overtly appearing to bait the false conclusion that Delta agriculture is somehow expendable, near the bottom of page 4-3, the White Paper includes the odd conflation of statistics that, while agricultural employment declined by 27 percent Delta-wide and 40 percent in the Primary Zone of the Delta between 2002 and 2008, overall employment in the 5 Delta counties (including rapidly urbanizing and expanding portions of those counties) grew 20.5 percent, while "agricultural exports [statewide] increased." This trend toward an ever leaner and more efficient agricultural workforce, however, is not new and is not unique to the Delta where, even as agricultural labor inputs have steadily and dramatically declined over time, yields and incomes have just as dramatically increased. It is a trend driven, in part, by current U.S. immigration policy and the mounting regulatory burden of doing business. In any case, it is a fact that, even as the percentage of the national workforce employed in agriculture has declined from 41 percent to 1900, to 21.5 percent in 1930, to 16 percent in 1945, to 4 percent in 1970, and to 1.9 percent in 2000-02, U.S. agricultural output has more than doubled in the last 50 years, growing at an average rate of 1.76 percent per year.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture.

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California Farm Bureau	1/25/2011	AGRESWP For example, it is estimated that between 2003 and 2008, growers in the San Joaquin Valley invested over \$1.5 billion dollars in high-efficiency irrigation equipment, infrastructure, and technology. According to DWR's recently released 2009 California Water Plan Update, agricultural water use statewide ("crop applied water use") has fallen 14.6 percent over the last 40 years (1967-2007), from 31.2 million acre-feet to an estimated 26.7 million acre-feet in 2007. Despite this reduction in total applied water use, however, DWR estimates that "real, inflation-adjusted gross revenue" for California agricultural products during the same time period increased 84 percent, from \$19.9 billion in 1967 to \$36.6 billion in 2007.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources in the Delta.
California Farm Bureau	1/25/2011	AGRESWP Grasslands, pasture, and grazing lands and cropland in all 50 of the United States of America represent an estimated 23.3 and 19.5 percent or 587 and 442 million acres, respectively, of a total 2,264 million acres in all land use categories. In California, out of a total land area of some 100 million acres (of which 45 million acres—or 45 percent—are federally owned public lands as of 1999), the California Department of Conservation currently classifies 12,328,508 acres as "important farmland" (of which some 9.6 million acres are cropland "irrigated cropland") and 16,521,928 acres as "grazing land."	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture.
California Farm Bureau	1/25/2011	AGRESWP Ironically though, even as we pave over and systematically desiccate millions of acres of our best fruit and vegetable producing farmland, the American Farmland Trust and the USDA estimate that the United States needs "at least another 13 million acres of farmland growing fruits and vegetables just for Americans to meet the minimum daily requirement of fruits and vegetables set by the U.S. Department of Agriculture's (USDA) 2005 dietary guidelines."	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture.
California Farm Bureau	1/25/2011	AGRESWP It would seem that the fact that farmers in the Delta, elsewhere in California, the United States, or the world now produce more with less than ever before should hardly form the basis for concluding agriculture is now obsolete, expendable, or any less essential than ever.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture.

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California Farm Bureau	1/25/2011	AGRESWP Nationwide, in 2000, 159 million acre-feet of a total of 387 million acre-feet of fresh water in the United States was extracted and applied to some 60 million acres of irrigated cropland (representing roughly 59 percent surface water and 37-41 percent groundwater). In California, of the between 145.5 and 336.9 million acre-feet of water either falling annually in form of precipitation or entering California from other states or Mexico, or available from storage or groundwater, an average of 34.2 million acre-feet a year are used to irrigate 9.6 million acres of irrigated cropland. Of an average annual total of 43.4 million acre-feet used by agricultural, urban, and managed wetlands combined, an average of 35% or 15 million acre-feet is met from groundwater, with the majority of that use occurring in the Central Valley. Thus, for the recent 1998-2001 period, agricultural water use in a wet year, a normal year, and a below normal year, ranged from 29 to 52 percent of California's "dedicated water supply," while "environmental water use" (made up of instream flows, wild and scenic flows, required Delta flow, and managed wetlands water use) made up between 35 and 63 percent	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture.
California Farm Bureau	1/25/2011	AGRESWP Outsourcing food production and environmental costs of necessary food production to other parts of the world has the clearly foreseeable result of redirecting those environmental costs to other countries and societies—often in parts of the world with greater remaining biodiversity, more intact ecosystems, and far fewer environmental regulations and protections. Outsourcing food production to other countries will make the United States increasingly dependent on other countries for food, in the way we are presently dependent upon other countries for oil and manufactured goods.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture.
California Farm Bureau	1/25/2011	AGRESWP Proposals to simply reallocate land and water from existing agricultural uses to environmental or other uses ignore the tremendous value and importance of agriculture itself and the public benefits it provides—not least of all as the food supply for a large and growing population. These values are the same, whether in the Delta, in areas upstream or south of the Delta, or elsewhere in California, the United States, or the world.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture.
California Farm Bureau	1/25/2011	AGRESWP Regarding salt build-up in soils and groundwater, for example, while this is again a significant problem in some areas of the state, assuming there is sufficient freshwater for leaching in the Delta, it is there a much less severe problem than elsewhere.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources in the Delta.

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Association	Date	Comment	Status of Comment
California Farm Bureau	1/25/2011	<p>AGRESWP The Delta and its tributaries irrigate over 7 million acres of the world's most productive and diverse cropland in the world. California is the number 1 agricultural producer and exporter, and the leading dairy state in the U.S. (22 percent of U.S. milk supply), grows more than 400 different commodities statewide, and supplies roughly half of U.S.-grown fruits, nuts, and vegetables, including 3/4 of all lettuce. Of a total of \$36.6 billion in direct farm sales for California in 2007, upwards of 60 percent would have been produced in the valley floor of the Delta's watershed, also known as the Central Valley, with a large portion of the State's remaining agricultural production occurring in areas also receiving a portion of their water supplies from the Delta in Southern California and in the California Central Coast area. \$36.6 billion represents 12.8 percent of farm sales nationally, yet in terms of acreage, the Central Valley amounts to just 1 percent of farmland nationwide. "Including multiplier effects," says the U.C. Davis Agricultural Issues Center, "California farms and related processing industries generate 7.3 percent of the state's private sector labor force [...] and account for 5.6 percent of state labor income." "Excluding ripple effects," says the same source, "agriculture directly accounts for 12.6 percent of jobs and 8.4 percent of labor income" statewide, while in the Central Valley itself "[a]gricultural production and processing [...], including ripple effects, generate 24.2 percent of private sector employment and 18.5 percent of the private sector labor income." For every \$1 billion in direct farm sales, the Issues Center estimates, "there are 18,000 jobs created in the state, about 11,000 in the farm sector itself plus about 7,000 in other industries."</p>	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture.
California Farm Bureau	1/25/2011	<p>AGRESWP The Delta Stewardship Council's December 6, 2010 "Delta As A Place: Agriculture White Paper" ("White Paper") serves in many respects as a useful compilation of data and statistics related to Delta agriculture. However, when faced with major policy issues such as flood control and proposed large-scale changes in land use patterns and water conveyance in the Delta the White Paper fails to recognize the extraordinary value and importance of agriculture in general and in the Sacramento-San Joaquin River Delta region in particular.</p>	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture.

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Association	Date	Comment	Status of Comment
California Farm Bureau	1/25/2011	AGRESWP The discussion of "Agricultural Employment" on page 4-3 mirrors the White Paper's discussion of California agriculture as a percentage of the State's economy in that it appears to again invite the conclusion that, merely because the percentage of the workforce employed in Delta agriculture is proportionately small, that agriculture in general, and Delta agriculture in particular, is somehow insignificant or readily expendable. Thus, although agriculture represents a full 38 percent of just 2,800 jobs in the Primary Zone of the Delta itself, the White Paper notes the Delta agriculture accounts for just 2 percent of total employment in the five Delta counties, and just 4.4 percent of employment within both the Primary and Secondary Zones of the Delta (including portions of the Secondary Zone that are now heavily urbanized)	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture.
California Farm Bureau	1/25/2011	AGRESWP The obvious problem with such cut-and-dried, dollars-and-cents assessments of the value of agriculture in the Delta, the State of California, the rest of the nation, or the world is that such assessments ignore that which is undeniable: 1. People eat. 2. The world is full of people (currently an estimated 311 million in the United States and 6.9 billion worldwide). 3. Without large and dependable quantities of food, many of those people would go hungry (or, at least, be at an acute risk of going hungry, in the event of some cataclysm, such as a war, a drought, or a collapse in world markets). 4. Agriculture produces the food to feed all of these people.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture.
California Farm Bureau	1/25/2011	AGRESWP The White Paper highlights quite prominently the loss in recent decades of important farmland in the Delta to urban development, ⁵⁸ yet it includes no commentary whatsoever on the significant loss of an equivalent area of agricultural land during the same period to a large and growing acreage of conservation and open space lands in the Delta—or of the much larger potential, future loss of some 80,000 to 100,000 acres of existing farmland to various proposed restoration projects.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources and terrestrial resources in the Delta.
California Farm Bureau	1/25/2011	AGRESWP The White Paper's focus on agricultural runoff in the Delta as a supposed source of significant water quality problems in the Delta completely omits any mention of the fact that recent monitoring and research have, in fact, pinpointed urban sources of contaminants, including both unregulated pyrethroids pesticides in urban stormwater and ammonia, as a much more likely source of ecological harm than Delta agriculture.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture.

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California Farm Bureau	1/25/2011	AGRESWP Too frequently now, one hears proposals such as the one presented not long ago to the Stewardship Council itself regarding the West Side of the San Joaquin Valley, that portray one or another agricultural "solution" as the solution to any number of other problems—but whose real thrust is to drastically curtail, or simply remove from the equation, the existing agriculture in one or another region of the state...it only involves sacrificing agriculture. What such proposals ignore is the point strenuously argued here, first, that agriculture in general is a critically important and necessary activity for the human race; second, that California's climate, infrastructure, and land and water resources make it specially suited for tilling and harvesting of the land as are very few other places in the world; and, third, that it is not only the West Side or the East Side or the Delta or the Sacramento Valley that is being steadily eroded by misguided policies and regulations, but rather all of the State's major agricultural regions.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture.
California Farm Bureau	1/25/2011	AGRESWP Whereas agriculture in the year 2000 accounted for about 41 of applied water use from both surface and groundwater in a normal year, environmental and urban water use accounted for approximately 48 and 11 percent, respectively. Recent significant regulatory reallocations since 2000 under the NMFS and USFWS OCAP biological opinions, under the San Joaquin River Restoration Agreement, and other developments notably increased the proportion of water going to environmental uses and substantially reduced current allocations to urban and agricultural use.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources in the Delta.
California Farm Bureau	1/25/2011	AGRESWP While the White Paper's "Future Risks and Policy Issues" makes much of the familiar list of imminent threats to the Delta from subsidence, to levee failures, to climate change, the reality is that all of these are risks Delta farmers and the State of California have lived with in the past, and all are manageable. After all, it is hardly as if the Delta were the only part of California or the world that faces various risks and unknowns in the future, and even from one moment to the next...	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture.
California Farm Bureau	1/25/2011	AGRESWP With \$115.4 billion in exports in 2008, agriculture is not only a major source of exportable goods for the United States, but indeed it is currently the first among just a very few export categories in the United States' increasingly service- and import-centered economy to carry an actual trade surplus. Meanwhile, California leads the nation in agricultural exports by a margin of roughly double the exports of any of the states in the next closest tier of contenders (Illinois, Iowa, Texas, Nebraska, Kansas, and Montana).	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture.

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California Farm Bureau	1/25/2011	AGRESWP Worldwide, to sustain a global population of 6.9 billion people, there are an estimated 543 to 618 million acres of irrigated farmland in production, with over half of this acreage occurring in India, China, the United States, and Pakistan. Hunger remains a real problem in the 21st century with an estimated 882 million people worldwide currently classified as "food-insecure" (that is having a diet of less than 2,100 calories per day per person).	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture.
California Farm Bureau	1/25/2011	AGRESWP...California is ranked first among all 50 United States in terms of both California's existing level and rate of growth of agricultural productivity. Moreover, among Western states, California's relative level of productivity and productivity growth rate is even more remarkable...while agricultural production in California is most notable for its large proportion of specialty fruit, vegetable, and nut crops, in terms of the agriculture's global footprint...the United States as a whole, along with China, the Korean Republic, Japan, Germany, and the United Kingdom, is among the most efficient producers of the world's food staples (cereals, pulses [peas, beans, and lentils], and roots/tubers)	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture.
California Farm Bureau	1/25/2011	AGRESWP...concerning water supply and groundwater depletion, while this is a significant problem in some of the areas adjacent to the Delta, in the parts of the Valley south of the Delta, and some other areas of the state, in the Delta, surface water from channels and sloughs is by far the primary source of irrigation water while, far from being overdrafted, the water table on many Delta islands is in fact so high that farmers must actually pump water off the land and into adjacent channels and sloughs to prevent water logging of the root zone.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources in the Delta.
California Farm Bureau	1/28/2011	Agricultural water suppliers will have to prepare or update existing agricultural water management plans to conform to the specific requirements of SB 7X 7 and implement additional "locally cost-effective" efficient water management practices, or otherwise submit documentation in support of a determination that such additional practices are not "locally cost-effective" at the time of reporting.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources in the Delta.
California Farm Bureau	1/28/2011	As noted, agricultural stakeholders must engage in a stakeholder process with DWR to develop a proposed agricultural water efficiency methodology. Additionally, SB 7X 7 makes mandatory certain previously conditional, albeit already widely implemented efficient water management practices (volumetric pricing and "aggregated farm-gate delivery data").	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources in the Delta.

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California Farm Bureau	1/28/2011	As the result of a very inclusive and exhaustive public stakeholder process including actual farmers and agricultural interests as well as members of the environmental community and others, SB 7X 7 represents the best and most appropriate compromise currently possible. Implementation of the measures required under SB 7X 7 by agricultural water suppliers around the state will undoubtedly amount to an enormous step forward. Accordingly, we should not now rush to judgment; rather, the State of California should allow the legislation to work, without premature regulatory interference and second-guessing.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources in the Delta.
California Farm Bureau	1/28/2011	Contrary to the Delta Watermaster's criticism of the 10,000 and 25,000 acre thresholds in SB 7X 7, according to the Agricultural Water Management Council, based on 2005 data, agricultural water suppliers with 10,000 irrigated acres or more collectively serve 95 percent of the more than 6 million irrigated acres served by water districts statewide, while suppliers serving 25,000 irrigated acres or more represent more than 80 percent of the same area. It is therefore inaccurate and misleading to suggest that required agricultural water efficiency reporting, measurement, planning, and implementation under SB 7X 7 does not cover the lion's share of agricultural water use in the Central Valley, as well as the total area of land irrigated by water districts in California.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources in the Delta.
California Farm Bureau	1/21/2011	Farm Bureau is supportive of identifying opportunities for increased efficiencies in water use, across the spectrum of beneficial uses...California's farmers and ranchers have a continuing role to play in the struggle for greater water use efficiency, as do urban users and proponents of environmental needs. As I have stated previously to the Council, farmers and ranchers are justifiably proud of their record over the past 40 years, as more and more crops move to efficient water systems and methodologies at the same time California retains its position as the nation's top agricultural producer.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources.
California Farm Bureau	1/28/2011	In any case, given limited resources and the considerable representative coverage of the various tiers, the current approach is certainly an appropriate incremental step.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources in the Delta.

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California Farm Bureau	1/21/2011	Increased efficiencies tend to manifest themselves incrementally, however, as technology becomes available and market conditions justify their use. It is not always possible to use the most efficient technology or method, and the caselaw interpreting Article X, Section 2 does not require so. Moreover, no reading of the California Constitution's enjoiner to reasonable and non-wasteful water use would justify some of the suggestions in the Delta Watermaster's white paper, such as identification of "approved" crop types.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources.
California Farm Bureau	1/28/2011	More, and not less, capacity and flexibility to capture, store, release, and convey water will be critically important to sustainably meet competing demands on limited water resources in the 21st century. This is not an either-or proposition; it is a dual necessity (and, indeed, something very much implicit in the "co-equal goals" concept that is the Stewardship Council's charge). Thus, while increased water efficiency is necessary, so too are additional storage, improved conveyance, and greater regulatory certainty.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources in the Delta.
California Farm Bureau	1/28/2011	Nonetheless, the formidable task of complying with additional requirements of SB 7X 7 will, between now and mid- to late 2012, absorb all of these agencies' available resources (and more) in the area of agricultural water use efficiency.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources in the Delta.
California Farm Bureau	1/28/2011	One other critical aspect of agricultural water efficiency that is missed in the Delta Watermaster's "The Reasonable Use" report and other similar treatments of this subject is the great importance of some relative certainty in terms of the overall stability and security of existing water rights...Namely, if the prevailing legal and regulatory environment is such that agricultural or other water users are made to live in constant fear of loss or reallocation of their existing water supplies, they will be less willing to implement practices that may result in further losses of water. In this regard, collaborative, voluntary, market-, and incentive-based approaches (though too seldom embraced in practice) are always more effective.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources in the Delta.

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California Farm Bureau	1/28/2011	Required Levels of Investment above Readily Implementable "Locally Cost-Effective" Efficiency Measures That Would Be Necessary to Realize Aggressive Projections of Potential Water Savings Are Not Realistic, and Probably Not Feasible...Given the significant up-front expense of many such improvements, however, the primary limitation on the implementation of such measures is that they are simply not "locally cost-effective." This, in fact, is one of the primary reasons why extremely aggressive projections of potential agricultural water efficiency savings ignore stubborn on-the-ground realities.18 [18 Other reasons such estimates are simply not realistic include their tendency to ignore downstream and in-basin use, overlook regional differences, differing crops types and agronomic practices, and double or accumulate assumed savings across different categories of efficiency measures, among other over-simplification and accuracies. See Burt, et al., Oct. 2008, "Agricultural Water Conservation and Efficiency in California—A Commentary," http://www.itrc.org/papers/commentary/commentary.pdf .]	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources in the Delta.
California Farm Bureau	1/28/2011	SB 7X 7 requires conformance to a new standardized reporting form, coordination with other local agencies, and public dissemination of agricultural water management plans.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources in the Delta.
California Farm Bureau	1/21/2011	The Delta Watermaster Did Not Involve Agricultural Stakeholders. Perhaps the greatest flaw in the white paper is that it was formulated as a lawyer's piece, with too much attention paid to the legal background on the subject of reasonable use, and too little paid to in-field practices. This could have been avoided by substantially involving California's farmers and ranchers...If the Delta Watermaster wishes to help drive technical innovations in on-farm water use efficiency, either within or outside of his geographic purview, we would recommend that he engage in the many voluntary processes that are calculated to deploy irrigation techniques which farmers and ranchers are incentivized to adopt.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources in the Delta.

**Matrix 9 Errata to Matrix 7 included in Comment Matrix for February 2011 Delta Stewardship Council
"Comments Related to Agricultural Resources (1/10/11-2/4/11)"**

Association	Date	Comment	Status of Comment
California Farm Bureau	1/21/2011	The Delta Watermaster has identified enforcement of the reasonable use doctrine as "reactive", and this is because the California Supreme Court has required a case-by-case inquiry on the subject. Hard and fast rules on the use of agricultural water – or any type of water use – must navigate the contours of Article X, Section 2. In the case of agricultural water use, those contours depend upon climate, weather, water source, soil type, market conditions and any number of other variables. The white paper perhaps asks too much in this regard, to the extent it would seek substantial enforcement resources up front to prospectively identify proper water use against the diversity of the agricultural landscape, or to vet water use efficiency "addendums" attached to all Statements of Diversion and Use which individually detail on-farm management practices.	This comment will be used in the development considered for preparation of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources.
California Farm Bureau	1/21/2011	The Delta Watermaster Largely Ignores Other Institutions and Processes. The white paper was apparently formulated without reference to ongoing and very effective efforts within the agricultural industry to keep increasing irrigation efficiencies available to California's farmers and ranchers. Correctly, the white paper references recent enactments directed at agricultural water management planning, applicable to the agricultural water suppliers which serve the majority of California's agricultural landscape. The Delta Watermaster does not do a very good job, however, of detailing the numerous institutions and processes which provide technical assistance – and grant money – to farmers and ranchers for agricultural water use efficiency...The Delta Watermaster is apparently even only marginally aware of CIMIS, the California Irrigation Management Information System maintained by DWR's Office of Water Use Efficiency, a basic and widely-used tool which California farmers use to estimate crop water use for efficient irrigation scheduling.	This comment will be used in the development considered for preparation of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources.
California Farm Bureau	1/21/2011	The Delta Watermaster, authorized by Water Code section 85230, has authority in relation to conditions and diversions within the Delta. As a practical matter, it is difficult to explain to our diverse membership – including, for example, farmers and ranchers in places like Modoc and Imperial counties – just why the Delta Watermaster should be calling for a summit on "reasonable use" and water use efficiency as it relates to them, calling for the commitment of general enforcement resources on this issue, or even why he should be authoring white papers on statewide policy. Nothing about the Delta Watermaster's statutory authority or the legislative intent in the 2010 creation of this position, including the Watermaster's charge to submit "regular reports" under Water Code section 85230, suggests such an authority-at-large.	This comment will be used in the development considered for preparation of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources.

Matrix 9 **Errata to Matrix 7 included in Comment Matrix for February 2011 Delta Stewardship Council**
"Comments Related to Agricultural Resources (1/10/11-2/4/11)"

Association	Date	Comment	Status of Comment
California Farm Bureau	1/21/2011	The Delta Watermaster's Focus Is One-Dimensional. At the same time that the white paper overreaches with statewide ambition, it is also incomplete in terms of its limited focus on agriculture. Even to the extent the Delta Watermaster wishes to examine reasonable use within his geographic authority, any inquiry is incomplete without visiting the entire spectrum of beneficial uses. The constitutional requirements found within Article X, Section 2 are a test against which any use of water must stand – including environmental and M&I uses – and an inquiry as to whether any one category or type of use is "reasonable" is hollow unless balanced against other uses. It would itself be unreasonable, for example, to require farmers and ranchers to adopt a costly new technology for a marginal and incremental water savings, while the efficacy of large-volume dam releases for fisheries restoration goes unexamined for actual positive effect.	This comment will be used in the development <u>considered for preparation</u> of the Delta Plan, Delta Plan EIR alternatives, and impacts assessment related to agriculture and water resources.